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A HISTORY OF SCOTLAND

FROM

THE ROMAN OCCUPATION

BY

ANDREW LANG

31021

IN TWO VOLUMES

VOL. I.

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WITH A FRONTISPIECE

T T. a-19

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EDINBURGH AND LONDON
MDCCCC

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James III.
and his Son afterwards James IV
from the painting in Holyrood Palace

TO

SIR HERBERT MAXWELL, BART.

OF MONREITH.

DEAR MAXWELL,

In studying the records of our past, your name has come under my eyes many hundreds of times, since the days of MACCUS, ARCHIPIRATA, *and never without pleasantly reminding me of you, and of hours among books, or by the banks of Test and Lea. You will oblige me by accepting this work, that, some day, may remind you of me.*

Very sincerely yours,

A. LANG.

PREFACE.

THIS volume is an attempt to examine the elements and forces which went to the making of the Scottish people, and to record the more important events which occurred between the Roman occupation and the death of Cardinal Beaton in 1546. His assassination did not absolutely ruin, but it greatly weakened, the old ecclesiastical policy of reliance on France and resistance to England. I have done my best, within my limits, to include sketches of social life and manners from a very early period. It may, perhaps, be objected that I have dwelt too long on certain more or less legendary features in these Lives of the first Christian teachers, which contribute so much to our scanty knowledge of society in the seventh and eighth centuries. But I may remark that what are called "miracles" in these ages occupied the human intelligence almost as much as science does among ourselves. To neglect this belief, and the occurrences with which it concerned itself, seemed superficial. The learned editor of Bede's works, Mr Plummer, appears to be of the same opinion, and has honoured me by referring to some notes of my own on this obscure topic.

Having more space at my disposal than Dr Hume Brown, in his recent and remarkably compendious and lucid 'History of Scotland to the Accession of Mary Stewart,' I have en-

deavoured to introduce as much as possible the element of personal character and adventure, when duly vouched for by contemporary chroniclers, or, what is better, by contemporary letters and documents. As is well known, many delightful anecdotes of Pitscottie, Hume of Godscroft, and other old authors must be abandoned, with the legends of Boece. But much more of actual and well-attested romance remains on evidence than can here find place. I am pleased to know that Dr Hume Brown shares with me the belief that the passions, caprices, humours, and adventures of our ancestors, no less than the almost impersonal movements and tendencies of forces and ideas, deserve their place in history.

In my notes will be found discussions of a few differences, mainly on points of chronology, between Dr Hume Brown and other writers and myself. I must not omit the opportunity of confessing my debt to Dr Hume Brown for reference to the Chronicles of Wavrin, which I, like Mr Hill Burton and Mr Tytler, had here overlooked. These chronicles, with some appended documents, illustrate the obscure period of 1461-1464.

Among what are called "general histories" I have made most use of the well-known works of Mr W. F. Skene, Mr Hill Burton, Mr Freeman, Mr E. W. Robertson, and Mr Tytler. The last-named gentleman, by his research in documents then difficult of access, though now open to all in the immense collections of printed State Papers and Club publications, made a new epoch in Scottish history. Documents not fully accessible to him (such as the 'Hamilton Papers' and parts of Mr Bain's valuable Calendars) are now *publici juris:* indeed, save for some lucky accident, we are unlikely to find much early MS. material beyond what is now edited or in editorial hands.

Where doubts occurred as to the accuracy of printed State Papers, the originals in the British Museum have been consulted for me by Miss Violet Simpson of St Hugh's, Oxford.

She and Mr Gerald Brenan obliged me by making extracts from Mr Bliss's Transcripts from Vatican MSS. in the Record Office. Some novel combinations of facts already extant in print have occurred to me, and are here presented for criticism. This is done with diffidence, as I myself discovered fallacies in a few tempting new combinations of my own.

An author who pleads excuses for his faults is in a sorry posture. I may remark, however, on the disabilities of one who, not living in the society of students and specialists in history, — for example, at our English universities, — is deprived of the chances of orally consulting these authorities. I have been permitted, however, to interrogate, mainly by correspondence, Professor York Powell; Mr W. H. Stevenson of Exeter College, Oxford; my friend Mr Charles Elton, Q.C.; Mr George Neilson, Procurator-Fiscal of Glasgow; Mr W. A. Craigie of Oriel College; Mr J. Horace Round; Mr Haverfield of Ch. Ch., Oxford; Mr A. H. Millar; and Professor F. W. Maitland. Principal Rhys, of Jesus College, generously read the early (but not the last) proofs of the pages which deal with very early Celtic affairs; and Mr Elton was good enough to read the remarks on Feudal Scotland, though neither my space nor my knowledge enables me to present what is worthy of his wide and minute learning. To the unwearied kindness of Dr Hay Fleming of St Andrews, and to his library, I owe much. Dr Hay Fleming, at my request, examined into, and detected, the error of all our historians (who have followed Buchanan) as to the protracted residence of the first Archbishop of St Andrews in Rome (1466-1473). The records in the Acts of Parliament, as Dr Hay Fleming first noticed, make Buchanan's theory impossible, though I learn from a MS. letter of Pope Paul II., in Mr Bliss's Transcripts, that our archbishop (then bishop) *did* visit Rome "at the time of his promotion" (1465).

In verifying dates and references I owe much to my friend

Miss Violet Simpson, and (in the period of the first Jameses) to Mr R. S. Rait of New College, Oxford, author of a recent work on Queen Mary (Nutt, 1899). But my errors be on my own head! No general history, perhaps, can ever be so written as to satisfy specialists in genealogy, ethnology, anthropology, law, sphragistic, archæology, heraldry, numismatics, philology, affairs ecclesiastical and military, and all the other themes involved in the narrative of the development of a nation. On the other hand, specialists will never combine to write a general history, and are apt, each within the fence of his special science, to disdain "the populariser." But it is not necessary here to enter into the dispute as to whether history is "science," or a branch of literature, or both.

"'A History of Scotland,'" said the publisher of Dr Robertson's work in the last century, "is no very attractive title." That in the hands of a competent writer with the space of Hill Burton or Tytler at his disposal, and with the mass of recently printed State Papers and Letters to work upon, a history of Scotland might be made extremely attractive, I am convinced. Perhaps the foundation of Historical Chairs in Edinburgh and Glasgow Universities, and the active Historical Schools of Oxford and Cambridge, may encourage some Scottish scholar, still young and eager, to do justice to the romantic past of his people.

On certain points I cannot conceal from myself that in this book (as George Buchanan said of his own 'Rerum Scoticarum Historia') I am likely "to displease many, and content few." For example, I have been reluctantly compelled to dilate on the many treacheries of the great House of Douglas, often so unworthy of the gallant and loyal companion of Bruce. Again, I have not concealed my opinions about some Reformers in Scotland. For the ancient Church I am no apologist: its faults in the fifteenth and sixteenth centuries are dealt with frankly. But in politics the ecclesiastical

leaders merely continued that old policy which, perhaps as much as the valour of Bruce and Douglas, had secured the independence of Scotland. The hour strikes when the best of policies is obsolete; but I think that we cannot in justice blame Cardinal Beaton and the other clerical advisers of James V., as Mr Froude does blame them, for their resistance to Henry VIII. Such unmeasured condemnation proves a lack of the historical sense. Again, however great our sympathy for the Scottish martyrs, men who died rather than pretend to believe what had ceased to be true for them, —martyrs at once of honour, faith, and freedom,—we are not to overlook the crimes of many politicians concerned in the new movement. To them the Master might have said, "Ye know not what spirit ye are of." To conceal my opinion on these matters, in deference to tradition, would be to sin in such sort as the outspoken Knox never sinned; and perhaps my openness of speech may be commended by his example. Our modern freedom of thought and belief is the inestimable heritage of the Reformation, but it is a heritage which neither Reformer nor Covenanter intended to bequeath.

I trust that neither here nor in what is to follow shall I be thought to hold lightly the Presbyterian form of faith in which I was educated. But if one thing was especially remarkable in that doctrine, as I learned it in childhood, it was tolerance. Now, as Mr Hallam writes, "Tolerance in religion . . . was scarcely considered as practicable, much less as a matter of right, during the period of the Reformation. . . . Persecution is the deadly original sin of the reformed Churches; that which cools every honest man's zeal for their cause, in proportion as his reading becomes more extensive. . . . In men hardly escaped from a similar peril [of persecution], in men who had nothing to plead but the right of private judgment, in men who had defied the prescriptive authority of past ages and of established power, the crime of persecution assumes a far deeper dye, and is capable of far less extenu-

ation than in a Roman inquisitor."[1] Here I would add, "granting the honest conviction of the inquisitor," which, I fear, we can scarcely assume in politicians like Cardinal Beaton or Archbishop Hamilton.

Perhaps I should say that, in cases where I have referred to the masterly prefaces of such collections as the Exchequer Rolls, Calendars, or Treasurers' Accounts, without adding references to the pages in the actual documents, I have, if I mistake not, always verified the citations, and found them correct.

For permission to use the three Maps of Scotland in early times, I have to thank my friend David Douglas, Esq., publisher of Mr Skene's 'Celtic Scotland.' The chart of Flodden I owe to the courtesy of Cadwallader Bates, Esq. of Langley Castle, Northumberland; it is extracted from his excellent account of the battle in 'Archæologia Æliana.' Mr W. W. Robertson, of H.M. Office of Works, has kindly granted permission to reproduce, in the frontispiece, the authentic portrait of James III., formerly at Hampton Court, and now at Holyrood.

I may ask leave to add here a few corrections and discussions of points discovered to be erroneous or doubtful. Thus:—

P. 20. Since the impression, Mr Round has published the work referred to in the final note of p. 20. Its name is 'The Commune of London,' and it may be consulted both for the original sense of old English place-names and for a criticism of the battle of Bannockburn. The vast numbers attributed by Scottish writers to the army of Edward II. seem to be notably reduced.

P. 131, line 4 from foot of page. "The Bishop of Chester." The reference, of course, is to Dr Stubbs, now Bishop of Oxford.

P. 201, line 9 from foot of page. For "1305" read "1304."

[1] Constitutional History of England, chapter ii. pp. 80, 81. 1870.

P. 214, first paragraph. "In March, probably, of the year 1309." The dates are difficult, but Bruce's defeat of Lorne was more probably in the summer of 1309.

P. 223, line 14. "Ensenye" is a banner, and perhaps "banner-cry" is better than "battle-cry."

P. 235, line 4 from foot of page. For "1821" read "1818-1819."

P. 238, note 30. For "Joseph Tain" read "Joseph Train."

P. 265, line 9 from foot. "John of the Isles and *the* Earl of Ross"; delete "the."

P. 295, line 8. "Buchan had brought Douglas from Scotland in 1420." This is erroneous; see p. 293. It was the eldest son of Douglas who in 1420 accompanied Buchan to France.

P. 419, note 26. For "Douglas" read "Angus."

P. 446, line 9 from foot. For "later the Regent Moray" read "*not* the Regent Moray."

P. 412. The Escape of James V.

The precise date and method of James's escape from the tutelage of the Douglases is only important as bearing on the authority of Pitscottie. He makes James fly from Falkland to Stirling, and his romantic tale has been accepted by historians.

In the text (p. 412) James is said to have ridden from *Edinburgh* to Stirling, where he was on May 30. This may seem too positively stated, and I offer the reasons for my theory. On May 27, Angus was at Edinburgh, and wrote to Sir C. Dacre, saying that James meant to lead an army to the Border, to put down malefactors, about June 22, and that he hoped for English aid. The same facts, says Angus, are stated at length "in the writing directed from my sovereign to his dearest uncle," Henry VIII. I infer that James was with, or in easy reach of, Angus on May 27. But, as appears from the charges against Lady

Glamis and Angus, James suspected, or thought fit to say that he suspected, them of raising forces nominally to serve but really to assail him, in the last week of May. He would, therefore, escape then if he could; and Mr Tytler dates his escape (prematurely) on May 22 or 23.

Now, in the 'Registrum Magni Sigilli' for 1524, 1525, 1526, 1527, 1528, we find but one charter dated from *Stirling* before May 9, 1528. They then occur on May 9, 10, 12, and 30, with others at Edinburgh. These dates may not prove James's presence at Stirling; but at least they prove that *something* had occurred which made Stirling a place where James gave or confirmed charters, or, at least, where the Seal was exercised. Now, in the previous years, back to 1523, I find only *one* such case.[1] On the other hand, *after* May 30, 1528, the dates from Stirling are of June 1, 3, 23, 26, while Edinburgh appears on June 27, July 3, 4, 5, 7, 8, 11, 12, 14, with Stirling on July 16, 17, 20, 24, 29, and constantly in August. Now we know that James was at Stirling on June 19 and on June 23, while he came with the queen to Edinburgh, with his supporters, on July 6, returning to Stirling on July 14. The Seal was being used at Edinburgh as early as June 27–July 5, whereas, if Dacre is right, James with the queen and his partisans did not go to Edinburgh from Stirling till July 6. On June 27 the Seal must have reached Edinburgh before the King.

Thus, though charters are often dated from Edinburgh, while James was there, and from Stirling, while he was *there*, the dating does not *prove* his presence. But I think that the sudden frequency of charters dated from Stirling, after a lapse of several years, shows some new change in the relations of Stirling to the king. It had been his mother's castle; while James was under Angus he had not used it as a place for dating charters till May 9, 10, 12, 30, 1528, after which it alternates with Edinburgh in June, July, and

[1] Reg. Mag. Sig., Oct. 13, 1525.

August. Now, what had happened as to Stirling? For one thing James was certainly there, out of Angus's power, at least as early as June 19.[1] On that date he informed Northumberland that his proposed visit to the Border (as in Angus's letter of May 27, and in his own letter to Henry) is postponed. Domestic disturbances have arisen—that is, the quarrel with the Douglases—and James has ordered a convention of the great barons. It was to meet at Edinburgh on July 10,[2] and it warned the Douglases away, and forbade communication to be held with them.

This was, of course, a revolutionary "change."

Now, there is an undated "credence" of Margaret, James's mother, to Walter Taite, to be shown "to the Lord Warden." This was probably sent to England in early July 1528. In Letters and Papers, *ut supra* (p. 1979), an abstract of it appears, but is so ill executed that I quote the original manuscript (Caligula, B. 7, vol. 73):—

The Credence geven by the quene of Scotts to Wolter Taite her Servante and Messenger to shew to my lord Warden as he saith.

Furst that the Kynge of Scotts haith takyn the towne of Sterlyng frome the quene by the partyall Counsaill whiche was bequethed her in the testament of the late Kynge of Scotts her husband.

Item the quene maks instance and desire to my Lorde that ther be noo cause shewed of the Inglisshe borders to provok any warre against the Kynge of Scotts and her. And they shall in lyk maner doo for the border of Scotland that noo defaulte shalbe founde in Scotland to the contrary.

Item. the quene of Scotts desyres my said lorde that he woll cause her letters to be conveyed to her derest broder the Kynge of England and to hast the annsware of the same by her Servante Walter Tait and he to further her maters.

Item. Howe the Kinge of Scotts Rode en secret and quyett maner frome Edynburgh to Starling with the nomber of v. or vj. horses and ther come Erls and lordis to hym of the state of Scotland thot vsed not the courte sith the tyme thot the Erle of Lymoges

[1] L. and P., vol. iv. Part ii. p. 1927.

[2] James to Henry, *op. cit.*, p. 1933, Stirling, June 23.

was slayne videlicet the Erle of Aren called the Lord Hamelton Therle of Eglinton lord Montgomry Therle of Murrey Therle of Argile Lord of Evyndall lorde Syncler the Lord Mansfeld and the shryve of Ayer, and other dyverse lordes that vsyd not ye courte.

Item. by this forsaid aperance in the countrey it is supposed that ther wolbe a chaunge in the Courte of Scotland.

I venture to hold that in this "credence" Margaret is describing that secret ride of James by which he escaped from Angus. It is in consequence of *this* ride that Margaret anticipates "a chaunge in the Courte." But believers in Pitscottie are free to argue that Margaret is speaking of another royal ride, not that by which James emancipated himself: that she omits a notable ride, and dilates on a ride not otherwise known. I prefer to take her words in the most obvious sense, and I prefer her record to Pitscottie's anecdote.

As to the dates, I am apt to conjecture that those in the Register of the Great Seal, from Stirling on May 9, 10, 12, were used when James was "taking" Stirling Castle,—by arrangement with his mother. That he was there after an interval at Edinburgh, when charters are dated "Stirling" on May 30, and June 1, 3, I think probable. If he believed in his own charges against Lady Glamis, he was likely to escape from the Douglases by the end of May. But we have not documentary evidence, from a dated letter, that he was at Stirling before June 19.

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A HISTORY OF SCOTLAND FROM THE ROMAN OCCUPATION.

CHAPTER I.

THE ROMAN OCCUPATION.

To the wisdom which comes after the event the map of Scotland seems, in part, a prophecy of her history. If one race occupied the country, if another race, more powerful in arms and perhaps in force of character, invaded the land, the ancient owners would naturally find refuge among the glens of the central hills, and beside the deeply penetrating sea-lochs of the western coast, while the new-comers would settle in the Lowlands and on the fertile plains of the eastern shores.

So far the prophecy of the map was fulfilled. The Celts, and perhaps a race more ancient than the Celts, were pushed beyond the Grampians, and into the difficult recesses of Moydart, Morar, Knoydart, Argyll, Lochaber, Badenoch, and the Islands. Teutonic invaders and Norman adventurers occupied the East Coast, the comparatively accessible Border district, and the great straths of Tay, Forth, Clyde, and Tweed, lording it over the remnant of the Gael.

But the nature of the land revealed by the map could lead no observer to anticipate that the successful invaders, though of the same Germanic race and speech as those who dispossessed the Celts in England, would in Scotland form a kingdom separate from theirs, hostile to theirs, and only to be united with theirs after a

contest of six hundred years. Nothing in the topography of the country contains a prophecy of this separation of the Teutonic or English conquerors of southern Scotland into a separate Scottish nation. That severance of the English north and south of Tweed was the result of historical events, which made Scotland a nation partly Celtic, leaning on many occasions to alliance with the English south of Tweed; partly English, leaning ever, as against England, to alliance with the distant realm of France.

The record of the long resistance of the English of Scotland to England, of the long resistance of the Celts of Scotland to the English of Scotland, of the attempts at union, often defeated, much disputed, and finally successful, is the history of the country. On this history the Roman occupation, so potent in other lands, made scarcely a mark. A few camps and other material relics remain, but, by one of the many paradoxes of Scottish history, the Roman law came later to affect the law of a state on which the arms and civilisation of Rome had left hardly a trace, while Southern Britain, so long a regular Roman province, is singularly uninfluenced by Roman law. The absence of the material influence of Rome in Scotland is accounted for by the appearance of a people who came here after the Roman Eagles had fled, and who, though as English as the population of Lincolnshire or Yorkshire, were destined to be called by the name of certain Irish Celts—"Scots"—and practically to make the history of the country. They entered on domains which Celtic hordes had ravaged before their arrival, and thus Rome, except for her law and her form of Christianity, is hardly to be reckoned among the influences which created Scotland.

The Roman occupation of Scotland south of Forth and Clyde, and her excursions through the regions north of this line, are thus only important so far as Roman authors have left us accounts of the races whom they encountered. The country now called Scotland cannot be said to have any records in written history before the Roman occupation of Britain. Even during the centuries of Roman power our sources of intelligence are meagre. Ancient historians, biographers, and geographers, writing in Latin or Greek, were more concerned with the fortunes of the Roman arms, or with the exploits of individual generals, than with ethnological distinctions of local races, with topographical details, and with the manners of barbarous peoples. When the Romans depart, literature nearly

ceases; and when literature begins again, its remains are scanty, fantastic, and obscure.

As to the races who inhabited Scotland before the Roman Eagles crossed Tweed or Tay, we have no evidence but that of tradition; of archæology working among the tombs; and of etymology dealing with old names of places or tribes. To discuss the race and language of the tribes who incised on the rocks the universal hieroglyphs of early man; who used the polished neolithic weapons; to found theories on the shapes of skulls unearthed from barrows, is the province of another science, not of history. That Celtic tribes, at remote and unknown periods, settled in the north of our island, is certain. What earlier inhabitants they found already in possession, if they found any, is matter of dispute. As we shall see, it is believed by some scholars that these earlier races were, long after the Celtic invasions of Britain, still well represented in many parts of Scotland under the names of Picts and Caledonians; were encountered by the Romans; and were, later, absorbed by, and lost in the mass of, Celts; adopting a Celtic language, and blending with the Gaelic-speaking tribes.

This people of Celts, the advanced-guard of the "Indo-European Aryans," was divided into two chief stems. First there came the speakers of Gaelic, still found in Ireland, the Isle of Man, and the Scottish Highlands. They call themselves *Gaidhel* (English *Gael*), which of old they wrote *Goidel*. The other Celtic stem consists of the people now extant in Brittany and Wales, and (in the earlier part of this history) still persistent in Cumbria. These are *Britons*, but science prefers their Welsh name, *Brythons*. They were akin to the Continental Gauls, as Cæsar saw, and are believed to have come to this island later than their fellow Celts, the Goidels, whom they drove west and north.

On this theory the Romans, when they arrived in our island, would find the southern part, especially the south and east coasts, tenanted by Brythons, Welsh-speaking kinsmen of the peoples of Gaul. Remoter parts of the country, especially in the west, would be the home of Goidels, Gaelic-speaking tribes. Intermingled with these, or even existing in separate communities in the North, would be, perhaps, men of an earlier unascertained race. The descendants of these men were, possibly, the tribes later unfavourably known to Romans and Britons as the Caledonians; still later, as the Picts. It will be seen, however, that philologists are by no means of one

mind as to the hypothesis that the Caledonians or Picts were, in blood and speech, distinct from, and prior to, the Gaelic-speaking peoples.[1]

In 55 B.C. Julius Cæsar landed in southern Britain, and penetrated north of the Thames. He found a people dwelling (when security was needed) in huts circled with a ditch and rampart, and surrounded by bush. Near the coast they were agricultural; farther inland they were pastoral. They painted themselves blue (perhaps only to strike terror in war); we do not hear that they *tattooed* themselves. Their most important custom (if correctly reported) was *Polyandry;* ten or twelve men, generally brothers, or a father with his sons, had wives, it is said, in common. It has been suggested by Professor Rhys that Cæsar may have borrowed his report of this trait from "some Greek book of imaginary travels"; or that he misunderstood "the Joint-Family," now to be studied in India; or that he was thinking of a legend about Polyandry among the people (conceivably not Celtic) of the yet unexplored interior. The important fact for us is that we find Polyandry again attributed by classical writers, centuries later, to the tribes of Northern Scotland, and that the Pictish law of succession in the Royal Family is alleged to have been through females. Sons of a Royal Pictish *mother* succeeded each other on the throne, and, failing these, the succession went to sisters' sons. This points, of course, to an age when fathership was uncertain, as it would necessarily be under Polyandry. Now this custom of Polyandry is declared not to be "Aryan." This means that scholars, examining the words for relationships in "Aryan" languages, decide that the peoples who speak these languages had developed the present family system before their separation. If this view be correct, then neither the Picts, nor the Southern Britons described by Cæsar, if really polyandrous, were members of the "Aryan race," but were relics of some prior "non-Aryan" population.

It is probable that this philological opinion will have to be modified, and the common names for relations, in the Aryan languages, seem to need a new critical examination. Even in Greek, we find words which denote kinship reckoned on the mother's side, as it is by polyandrous races: such a word is *homogalaktes*, "Kindred in the same mother's milk."[2] At present it seems unsafe to regard a race as necessarily "non-Aryan" because its institutions offer traces of kinship through females. The evid-

ence, on the other hand, from customs, such as that of reckoning kin on the female side, is also not to be pressed too hard. Customs are apt to endure, especially in royal families, after the circumstances in which they arose have long ceased to exist. It is certain that the natives both of northern and southern Britain, when the Romans made their acquaintance, were in stages of culture which are not usually found associated with promiscuity or polyandry. This means that they had already reached a condition beyond the state of savagery—for example, their possession of horses and metals placed them above even barbarians, such as the Maoris of New Zealand.

The peoples of Southern Britain, whom Cæsar knew, used a gold coinage, had weapons of iron, and fought from chariots. In these respects, at least, they were on a level with, or above, the civilisation of Homer's heroes, who had no coinage. The Britons had kings, and, as in Homer, a just and rightful king was rewarded by luck in harvests, therefore in weather. Of their religion we speak later, when describing the conversion of Scotland.

For nearly a century after Cæsar, Rome left Britain alone. In A.D. 43, Claudius sent an army to the island. But, by A.D. 50, the Roman province, thus subdued, included no part of modern Scotland. The province was bounded by the Severn on the west, by the Humber on the north. Farther north the nearest frontier tribe, the Brigantes, occupied a territory which probably extended to the Firth of Forth. The Brigantes, inevitably, came to blows with Rome, and the Romans learned that, beyond *their* domains, lay a people called by them *Caledonii*. The natives were said to live on fish and milk. Later we are told that they ate no fish. Their king, men said, was not allowed to possess private property, or to marry. In this state of things the king would never be succeeded by a son, and the Pictish crown, in fact, did go through brothers, not sons. We need not conclude, as we have said, that these far northern peoples were still polyandrous, or promiscuous in the relations of the sexes; but survivals of such a condition, like female kinship, may have clung (as often occurs) to the royal house.

In 78 A.D. Julius Agricola, the father-in-law of Tacitus, who wrote his life, arrived as Governor of the Province of Britain. Its northern boundary was now probably the southern march of modern Scotland. Porches, baths, and an elegant conviviality, says Tacitus,

with temples and schools, were introduced with marvellous expedition.[3] In 80 A.D. Agricola crossed the Border, ravaging "new nations," as far as the estuary of the "Taus" or "Tanaus." The modern name is uncertain. In 81 A.D. Agricola pushed his conquests across the watershed between the Solway Firth and the Clyde. In this and the following years (81-82) Agricola garrisoned the new frontier between the Firths of Forth and Clyde.[4] The north of the country, beyond the rampart of what we now style the Grampian range,[5] was then unknown to Agricola. Fifeshire too was practically unknown. Agricola himself explored the west during his fifth summer of command, and beheld the blue distant shore of Ireland. He had with him an exiled Irish chief, from whose sanguine talk probably he gathered that a legion and a few auxiliary bands could conquer his country.[6] Agricola subdued "unknown tribes" (*ignotas gentes*), and fortified "that part of Britain which looks towards Ireland" (*copiis instruxit*).

In the following year, his sixth, Agricola subjected to Rome the communities (*civitates*) beyond Forth, because a general rising of the north was anticipated; he also explored the havens with his fleet. His expeditions by sea and land often brought his mariners and soldiers together, "gleefully recounting their exploits and adventures by wood and wave." Prisoners averred that the natives were terrified by the fleet which laid open the secrets of the sea, and cut off their last refuge. But it scarcely seems probable that the natives were great seafaring experts, and they had places of safety enough inland, from "the skirts of Cairntable" to the gorges of Lochaber and Glencoe. The tribes mustered, attacked certain forts of the Romans, and made timid counsellors advise retreat. Mr Skene, whose theories are now sceptically regarded, conceives that Agricola's advanced forts west of Tay were the objects of this assault, and that his headquarters were at Grassy Walls in Strath Tay. He did not fall back on the line of Forth and Clyde; but leaving the forts to hold their own, he advanced with his army in three divisions. He marched parallel with Tay into the flat country north of the river, now left open by the native attack on his western camps. He established a camp at Cupar Angus, another, rather to the south-east, at Lintrose, and a third in the south-west, to command the passage of the Tay. The enemy, abandoning their western expedition, attacked the Ninth Legion in the second camp by night, but Agricola hurried from a

place near Cupar Angus and took the natives between two fires. They were dispersed into the woods and marshes, and Agricola went into winter quarters. Tacitus's account of these movements[7] proves that the natives were not mere brave unskilled savages. They had excellent information; their scheme of a diversion was well conceived. Finding that they could neither amuse nor terrify Agricola, who pressed forwards (*incessit*), they returned with speed, and assailed his weakest division so eagerly (and that by a night surprise, on which savages do not usually venture), that they forced their way into the camp. Agricola was not far off, and, by sending his swiftest foot and horse, he made an attack on the rear of the natives already engaged in the Roman camp itself. They fought till daylight, and then drew off to inaccessible fastnesses. This is no mere savage warfare. In 84, Agricola made a naval diversion on the east coast and marched inland.

We must, of course, put the cultivated lands and trim fenced woods of Scotland out of our minds when we think of Agricola's marches. Only the mountain forms remain as he beheld them. The rivers must, in those days, have been of greater volume than now, flowing through swampy undrained country, overgrown with "bush," thickets of birch, alder, and hazel, scarce penetrable hiding-places of the foe. Cultivation, where not wholly neglected, would be found chiefly in the straths. Deer, wolves, and the wild cat abounded. A land of forest, hill, and quagmire was the scene of Agricola's operations. The tribes, after their check in Forfarshire, sent their women and children into places of security, the chiefs armed their forces, and united in sacrifices at great gatherings. In spring, when Agricola sent his fleet to carry terror northward, he himself marched to the "Mons Graupius" of Tacitus. The place is disputed: Mr Skene believes that Agricola occupied, beneath the Hill of Blair, the isthmus at the meeting of Isla and Tay. Here he protected himself by a *vallum*, now called *Cleaven Dyke;* the tribes (as usual), "took the hill of him," and held Buzzard Dykes on a slope of Blair Hill.[8] But the tribes had not the opportunity to charge down-hill. A plain severed them from the Roman *vallum;* and on the level, disciplined troops were their masters. Tacitus reckons the Highland force at 30,000; even the old men had come in, he says, as long afterwards they and the boys gathered round the royal standard at Glenfinnan. Their leader, Calgacus, addressed them, and Agricola harangued his forces. The High-

lander's speech, in Tacitus, contains words prophetic of a later day, and a more brutal conqueror, *solitudinem faciunt, pacem appellant.* The speech is, of course, the composition of the Roman historian; but its patriotic appeal and invocation of liberty have often animated the descendants of his country's enemies. Agricola (like Mackay long after) had "Dutch" forces (*Batavorum cohortes*), which he placed in the centre, with cavalry on the wings; his Roman legions were in the second line, in front of the *vallum.* The Highlanders arrayed their first line on the level ground; their supports occupied the heights. The chariots and horsemen scoured the plain. To avoid being outflanked, Agricola now extended his front; he himself dismounted and stood by his colours. The battle began with a discharge of arrows and other missiles, in which the Highlanders seem to have had some superiority. Agricola therefore ordered his Batavian and other foreign forces to charge. In the mellay the claymore and target (*ingentes gladii, breves cetræ*), and the swashing blows of the Highlanders, were less successful than the point delivered by the Batavians. Against spears, as against bayonets, the broadsword might have held its own, but the short Roman sword came within the guard of the two-handed claymore. The Roman lines then charged up the slopes; the Highland chariots swooped down, and apparently were broken by the Roman cavalry,[9] who, in turn, were impeded by difficult ground. Meanwhile the Highland supports, descending from the hill, attacked the legions in the rear, or were about doing so, when they were assailed by fresh Roman cavalry from the wings. They fled, and were pursued: some ran, some rushed unarmed on certain death. At the fringe of wood they rallied, formed, and repelled the pursuers; but Agricola sent cavalry into the more open bush, dismounted men into the thickets, and broke up the enemy. Tacitus reckons the Highland loss at 10,000; the Roman at 360.[10] Had Calgacus fallen or been taken we should have heard of it, and it is improbable that the Highlanders, drawing off in fair order, and under cover of woods, suffered so severely as Tacitus declares. They burned their huts, their retreat was unknown and not explored: Agricola retired into winter quarters, probably behind Forth and Clyde. His fleet was bidden to circumnavigate the island. Agricola was presently recalled by Domitian, and his attack on the north remained fruitless. The north was unsubdued.

Tacitus has a few ethnological remarks on the natives of Britain.[11]

Not much can be known, he says, in the case of Barbarians as to whether the people are aborigines or invaders. To the Caledonians, on whom Agricola had been warring, he assigns flaming hair, and mighty limbs, which he regards as possible proofs of German origin. He implies that the small communities (*civitates*) were rarely and with difficulty induced to unite in a common cause. Of promiscuity or polyandry he says not a word. He talks of "wives and children" in a manner inconsistent with a theory of promiscuous hordes. Ptolemy assigns "towns" (πόλεις) to the natives of the south and east, but no traces exist except of the Roman stations on the sites where towns appear to be indicated —for example, at Birrenswark, recently excavated. The Dumnonii, a considerable people, stretched from Clyde to Tay, and appear to have had a centre near Carstairs, another near Ardoch camp, and a third at Loch Orr in West Fife.[12] There are still remains of native ramparts at Burghead; but nothing is known of native towns in the region of the Highlands, which, about 1740, Forbes of Culloden could still describe as townless. Concerning the nature and extent of these ancient "towns" we are ignorant.

Rome had still to make her most imposing mark on British soil—the wall and vallum, with the towers, gates, and altars of the legions.[13] It was in 120 that Hadrian erected the famous Roman wall from Tyne to Solway. Obviously the wall was needed. About 139 the Brigantes broke its bounds, were subdued by Lollius Urbicus,[14] and were bridled by an earthen rampart, "the wall of Antoninus Pius," erected between the Firths of Forth and Clyde. In 181 (?) the tribes burst through the new dyke between Forth and Clyde, slew the Roman commander, and overran part of the province. They were punished by a general whom Commodus despatched to the scene, but they had tasted blood, and had learned where plunder could be obtained.

In 208, under Severus, the tribes again broke out. Dio Cassius, a contemporary, tells us that there were now two chief "nations" among the Northern people—the Caledonii and the Mæatæ; the Mæatæ near the Wall, south of Forth, the Caledonii behind them, north of Forth, according to Mr Haverfield's map, but doubt prevails. Mr E. W. Robertson recognises, in this duality, the Celtic principle of "division." We have Caledones and Mæatæ; Dicaledones and Vecturiones;[15] later, Northern and Southern Picts. To return to Dio Cassius, both of these confederacies, Mæatæ and

Caledonii, are said by him to have dwelt in "waterless mountains," a singular statement. They had neither forts nor cities; they did not till the soil; they were pastoral and hunters. Though the fishing was splendid, they never ate fish. Naked and unshod, they had wives in common. They were great thieves, "looted most liberally," and fought from chariots, their horses being small but swift; they themselves were very fleet, and they were steady in combat. Their dwellings Dio calls *scenæ* (σκηναὶ), probably wattled huts. Their arms were targe, dirk, and short spear, with a rattling bronze ball at the handle. A man would hide for days in a bog, with only his head above; they had a mysterious food, of which a portion no bigger than a bean would support life for long. Herodian says they were naked, with collars and belly-pieces of iron. They tattooed themselves with designs representing beasts (tribal marks?).

These are not very consistent descriptions. A people in the stage of using iron, and driving chariots, has commonly passed beyond promiscuity of women, and absence of agriculture. The nakedness was probably but that of Montrose's Irish, or of Highlanders throwing off their plaids, and charging in their smocks. The remark that the people are now in two "nations" appears, if correct, to imply a system more united and centralised than that of tribes, something more akin to the Iroquois League. To subdue these foes, Severus is said to have made military roads (210) through the forests of the Forth to the meeting of Almond and Tay, and so into Forfarshire, where is the great camp called Battledykes.[16] Thence the Roman ways,[17] and fortified camps, extended to the Moray Firth. Dio reckons the Roman casualties in this expedition at 50,000, caused less by the sword than by disease and climate. After reaching "the extreme North" (Burghead, probably), and observing the parallax and length of the days and nights, Severus, quite outworn, was carried south in a litter. His reward, perhaps, was the security of the province as far as the Tay. He seems to have strengthened the wall between Forth and Clyde, but the North revolted after his return to York, where he died in 211. Then comes a period of silence.

Britain was soon in much the same condition as the empire itself, hardly to be saved from the northern barbarians. The Teutonic tribes, Saxons and others, began to make incursions by sea; and Britain accepted the sway of Carausius, who, in 287, took the title of Augustus, and ruled the whole province. He was suc-

ceeded by Allectus, and now, under Constantius Chlorus (306), we begin to hear of the Picts, "the Caledonians and other Picts."[18] A hundred and fifty years after Severus marched to the Moray Firth, the province was invaded by "Picts and Scots" (360). The Picts ravaged as far as the wall of Hadrian (between Tyne and Solway), while the Scots harried the west coast. The Picts are also mentioned[19] as being in two nations, the *Dicaledonæ* and *Vecturiones* or *Verturiones*. The latter word, in Goidelic (Gaelic), "yields the well-known name of the Brythons of the kingdom of Fortrenn"—between Forth and Tay.[20]

The question now arises, who were the Picts, and who were the Scots? The old theories of the Teutonic origin of the Picts may be dismissed, and we may as well leave out of view the discussions concerning "Pechts' houses," with the notion that a dwarfish race —"the Pechts"—have become the fairies of legend.[21] The "Pechts" of folk-lore, who are credited with great works, down to the building of Glasgow Cathedral, answer merely to the Cyclopes, the mythical builders of Tiryns and Mycenæ. The name Pecht or Pict hung in the popular memory, and any mysterious erection, or unintelligible relic of prehistoric times, was explained as a work of Pechts or of fairies. Myths unattached crystallised round the name, and the same story is told in Scotland of the last Pecht, and in modern Greece of the fabulous *Drakos*. Casting all folk-lore aside, we briefly state the hypothesis of Mr Skene.

The Picts, allowing for casual mixtures of other races, were simply Goidel, Gaelic-speaking[22] or Gaelic-Welsh-speaking Celts, ancestors in some degree of the present Highlanders. Under the new name, Picts, they were but the old unsubdued enemies of Rome beyond the wall, the foes of Agricola and Severus. Just as Allemanni, Franci, and Saxones were new Roman names for aggregates of Teutonic tribes previously known by other appellations, so "Picti" was a new collective name for the barbaric tribes of Northern Britain. To "Picti" the Romans would assign the sense of "painted" or "tattooed," but Pict is probably in origin an ancient word, not derived from the Latin *Pictus*. The Southern Picts were a trifle more civilised than those of the North, and, in Galloway, were more or less converted by St Ninian, about 397. The names of the earliest Pictish kings in the list are "purely Irish or Gaelic" (which is not admitted by Professor Rhys), and Gaelic are the place

names of the regions which the Picts inhabited. In short, the Picts, south or north, were mainly Gaelic Highlanders, in Mr Skene's opinion.

As to the Scots, their language, too, he thinks, was Erse or Gaelic. The name, "Scoti," designated natives of Ireland; but the Northern Irish (Scoti), of Ulster, had among them Picts too, under another title—that is, men of the same branch of the Celtic race as the Highlanders, who spoke a dialect of the same Celtic language, and, in Ireland, were called by the same name, *Cruithnig*. The Scots were Picts who came from ancient *Scotia* (Ireland), into the region of modern *Scotland*. In 1753, James Mòr Macgregor found, or pretended to have found, exiled Macgregors in Ireland, who were ready, at a word from Prince Charles, to invade Argyll under his banner. That expedition, had it been successfully made, would have much resembled, on this theory, the colonising of Kintyre and Islay by "Scots" from Ulster. In this settlement (about 500 A.D.) the Scots from Ireland were called Dalriada (from the Irish district whence they came?). They and their Dalriadic kingdom in Scotland will have to be noticed later: meanwhile, about 360, the Picts (Celts), with the Scots (men of the same race settled in Ireland), were ravaging the Roman province of Britain.[23] This, briefly stated, is the opinion of Mr Skene.

A more recent Celtic scholar, Professor Rhys, Principal of Jesus College, has hitherto upheld the theory that the Picts were members, not of the Celtic, but of some non-Aryan race. What people, if any, now represents that race—Iberian, Ivernian, Basque, Finnish, Ligurian, or what not—Mr Rhys would not profess to decide. His ideas rest partly on the evidence of institutions, such as the much-discussed Pictish form of the family; partly on the characteristic forms of personal names of individual Picts;[24] partly on the existence of a few inscriptions in the Ogam character, which, so far, have not been construed as Celtic, or as any other Aryan language, in Mr Rhys's opinion. The arguments have a tendency to combine, as when Mr Rhys remarks that, in early Gaelic, we find proper names of individuals constructed on a principle which we do not meet among other Aryan peoples. These proper names designate their bearer as "servant of" this or that animal or saint, dogs being often the chosen animal, both in Ireland and Scotland. The usage is familiar among Semitic races, but nobody thinks that Picts or Scots are Semites. Here, then, is a non-Aryan personal

name-system, which again, in Mr Rhys's theory, may be derived from an institution not found with certainty among Aryans—that is, Totemism. This institution is widely diffused among savages; each stock of kindred claims descent from, or legendary connection with, and more or less reveres, its peculiar sacred plant or animal.[25] Thus the singular names, "servant of the dog," and so on, occurring in Gaelic, point, in Mr Rhys's theory, to a non-Aryan race, "Pictish," Celticised, indeed, in speech, but retaining in these personal names survivals of institutions not certainly discovered among Aryans. Again, Totemism is, as a general rule, associated with the system of tracing kinship through the mother, not the father, and is not reckoned an "Aryan" institution.

To this it must be replied that such names as Mr Rhys relies on, the names of *individual men*, Flying Cloud, or Running Wolf, among Totemistic savages, like the Red Indians, have no bearing on Totemism. A brave called "Sitting Bull" may, or may not, belong to a Totemistic kindred; but, even if he does, his Totem, or kin-crest and revered object, is not indicated by his own proper name. He is Sitting Bull of the Wolf, Crab, or Frog, or other Totem name. To raise a presumption in favour of Totemism among Scots or Picts, we must first discover these peoples to have been divided into stocks of kindred which bear, *as stocks*, names of animals, plants, and the like. Indications of such stocks, Mr Rhys thinks, may be found among the Dalriad Scots, divided into Cinel Gabran, Cinel Loarn, and Cinel Angus, of which the two former meant "Little Goat" (?) and "Fox."[26] However, among Greeks and other Aryan races, no less than in Scotland and Ireland, there occur features which may be explained, conjecturally, as survivals of Totemism. Thus Totemism, if proved to have existed in Scotland, would not necessarily indicate non-Aryanism in the Picts or Scots, unless there are no Aryans anywhere.

The account given by Tacitus, also, in the 'Germania,' of the important relationship of uncles, and of sisters' sons, closely resembles what we are told about the Pictish family system. Yet the Germans, if anybody is, are Aryans.[27] Once more, numbers of names of Anglic (English) kindreds and settlements in England have been derived from plants and animals, and have, so far, a slight Totemistic air. But the English were Aryans, if any one ever was. Thus, granting animal names of *individual men* among Picts and Scots, these do not indicate a Totemistic origin, and, if

they did, prove nothing as to whether Picts and Scots were or were not "Aryans." On the other hand, the *formulæ* on which Pictish and Scottish names were constructed—"a slave of" so-and-so—may be very unlike what Aryans used elsewhere. They resemble, as has been said, Semitic usage, "Obededom"—"servant of Edom," and so forth. But Jews were not Picts or Ivernians! The usage is probably an early one, and, if found among the most remote and backward dwellers in this island, decides nothing on either side as to their race, Aryan or non-Aryan.

Leaving proper names (which, so far, prove nothing), Mr Rhys examines the vague pseudo-historical legends of Irish, Scottish, and Pictish origins. His argument is too complex and too full of hypothetical etymologies for analysis here. He supposes the distinction between Picts (Cruithni) and Scots (Goidel?) to be one of language and religion. In Mr Rhys's view, ancient Ireland was inhabited by Goidels, and also, in the north, by Cruithni, members of an earlier race. The Dalriad Scots who, from Ireland, invaded Scotland about 500 A.D., were Cruithni by ancient descent, but had been Goidelised or Celticised, and were also Christians before they left northern Ireland for Kintyre, while the Picts among whom they settled in Kintyre "may have been still using their native Pictish or Ivernian (non-Aryan) speech," and were Pagans. Both Picts and Scots "were closely kindred communities of Cruithni" . . . the Scots were Cruithni who had adopted the Celtic language of the Aryan conqueror (Goidel) in Ireland; they were a people, in fact, that gloried in being Goidels, and endeavoured to forget their Cruithnic origin.

Here Mr Rhys and Mr Skene partly coincide. Scots and Picts are, from of old, akin; the Scots spoke Gaelic. But Mr Rhys thinks that they had learned it, being non-Aryan, from Celtic conquerors in Ireland, and that the Picts, when the Scots arrived in Kintyre, still spoke a non-Aryan language. Mr Skene thinks that the Scots spoke Gaelic, and were akin to the Picts, but that Gaelic was the natural language of both peoples, both being Aryans and Celts.

As to the name "Pict," Mr Rhys does not derive it from the Latin *Picti*, "painted fellows," nor does he think that the Scottish *Pecht*, or Norse *Pet*, or Welsh *Peith* is derived from the Roman word *Pictus*. Indeed he doubts the evidence that the Picts were ever painted or tattooed. On the whole, Mr Rhys decides that the Picts were not Celts, and, from remains of what is supposed to be

their language as found inscribed in Ogam characters on stones, he once tended to regard the Picts as akin to the Basques.[28] But in this theory he does not persist. His strongest evidence for the non-Aryan character of the Picts is the existence of a few inscriptions of which the Ogam characters can be deciphered, but which yield no sense in any known Aryan tongue.[29] Mr Rhys finds in the Aberdonian and Moray "f" for "wh" ("Fa fuppit the fite felpie?") a relic of non-Aryan Pictish pronunciation. On the other hand, Mr Skene wrote that every circumstance "tends to show that the Picts, who inhabited the northern and western regions of Scotland, as well as Galloway and the districts in Ireland, belonged to the Gaelic race, and spoke a Gaelic dialect." The Southern Picts, too, south of the Grampians, "were probably originally of the same Gaelic race," with a British (Brython) element. Certainly when Gildas (560) calls the Picts "a set of bloody freebooters with more hair on their thieves' faces than clothes to cover their nakedness," we do seem to recognise a view of the Highlanders long popular in the Lowlands.

Here the question of the race and speech of the Picts and Scots must be left to the judgment or taste of the reader. Mr Stokes regards their language as a kind of Celtic akin rather to Welsh than, as in Mr Skene's theory, to Gaelic. The arguments, especially those of Mr Rhys, can receive very scanty justice in a brief summary.[30] But we should add that, while St Columba, an Irishman, could converse with the Pictish king, in his native Gaelic (unless the king knew Latin), he needed an interpreter in talk with remote and rural Picts, at least when construing the Bible to them. This may mean that their language was not Gaelic, like St Columba's, or may merely show that they talked a difficult *patois* of that speech, or even that St Columba did not feel strong in the Latin of the Vulgate.[31] The whole question, Aryan or non-Aryan, is philological and ethnological, not historical, and is only important because it has been so much discussed. Aryan or not, the Picts were clearly much on a level of culture with the Goidels of Ireland. Their arms, mode of fighting (except for the chariots), and wattled huts (such as "Cluny's Cage") survived in the Highlands till the Forty-five, allowing for the introduction of fire-arms. The habits of Caterans and the "breeklessness" also endured.

To return to the history of events. In 364, the barbaric invaders attacked the Romanised south. The people, if they had

baths, porticoes, temples, schools, and elegant conviviality, must have suffered things unspeakable from this Highland host.[32] To them were added "the heathen of the Northern Sea," the Saxons, and the Attacotti, a tribe of the Northern invaders. These were later enrolled in Highland regiments, by the Romans, and employed in foreign service.[33] St Jerome says that he saw Attacotti eat human flesh in Gaul, which is probably due to a hallucination of memory, though, of course, a people much more civilised, the Aztecs, often ate human flesh in a ritual ceremony. To the rescue of the province, attacked from south, west, and north, the Emperor sent Theodosius the elder (368). With the Picts were the Attacotti, "a most warlike people," the wandering Scoti, Franci, and Saxones; these make up the tale of enemies. The Romans marched against the foes, who were driving a huge *creagh* of cattle and prisoners. They dispersed the plunderers, restored most of the booty, and re-established stations along the line of Forth and Clyde. The poet Claudian confirms this, and adds that Ierne (Ireland, Erin) "lamented whole heaps of her slaughtered Scots," the Irish invaders of the province.

Forty years after the victories of Theodosius, the Romans were obliged to abandon Britain. In 396-400, Stilicho sent a legion which restored to the province the lands south of Forth. Revolts recurred in 406. In 410, Britain saw the last of the Roman legions. The eagles never again repassed the Channel. The Roman occupation had, no doubt, affected Scotland "between the walls,"—between Forth and Solway. It had also helped to consolidate the unconquered North against a powerful enemy, and had taught the Highlanders to combine. The occupation, however, has left few material traces. Not even a tesselated pavement of a villa remains in Scotland, as far as is known. Probably the Roman houses discovered at Musselburgh, in the reign of Queen Elizabeth, had such pavements, but they have perished. Stations abide, and traces of roads, broken pottery, altars, coins, gems impressed on the wax of mediæval seals, and a few other objects of art. The famous "Arthur's Oon" on the Carron in Stirlingshire, a dome of hewn stone, was destroyed, in the last century, by an intelligent laird, who wanted the stones for a mill-dam.[34] Boece says that it had a tesselated pavement, and he may, for once, have spoken truth. As to roads, Mr Burton writes, "The peasant will speak of finding his way from Ardoch to Perth without coming off the old road," the Roman

way. But Scotland is not like France, where the temple (*Maison Carrée*) of Nimes, the amphitheatres of Arles, Nimes, and Orange, with the beautiful aqueduct, the Pont de Garde, have marked the soil with traces ineffaceable of the Masters of the World.

Scepticism, which has taken the place of credulity among antiquarians, has begun to attack the old theory of Roman remains in Scotland. Mr Hill Burton thought the belief justified that "there are more known and recognised Roman camps in Scotland than in all the rest of the world." Mr Burton was, on many points, an incredulous archæologist, but here he seems to have been capable of exaggeration. Who "recognised" the Roman camps, and on what grounds? Dr Christison suggests that there was a tendency "to attribute as many remains as possible to the Romans," and to think that "all rectangular entrenchments must be Roman." In that case the very large rectangular work at Danesfort, above the Lake of Killarney, would be Roman, though on Irish soil the Eagles never alighted. It was General Roy who designated as Roman all old rectangular works near Roman, or supposed Roman, roads, if the structural character of the entrances seemed to support the attribution. But, as to these so-called Roman roads, Dr Christison "does not know that recognisable Roman work has ever been found on them." The straightness of their course appears to be the chief argument for their Roman origin. What is needed, for proof, is successful excavation. This has been conducted, with affirmative results, at Birrens, Ardoch, Newstead, Tappuck, Inveresk, and Cramond; while Dr Christison may be said to give seventeen other ancient works "the benefit of the doubt." It must be remembered that the plough, and other agencies, have levelled much that was of more marked character when General Roy was writing; that the modern Scot has freely used every kind of ancient structure as a quarry; and that very little has been done by way of excavation. On the whole, however, of all countries once in Roman occupation, Scotland possesses, perhaps, the rarest traces of the imperial people.

For practical purposes, Scotland is hardly more affected by the Roman occupation than Ireland, which the Romans never occupied at all. A Scot gains, through Roman writers, some obscure glimpses of the ancient inhabitants of his country. But even from the tradition that Rome failed to conquer the Highlands, some advantages in the way of indomitable pride have been drawn. It

will naturally occur to the reader that, if the peoples of the northern part of the island were mainly non-Aryan, the popular science about "the Celtic element in our literature" is a waste of words. For the peculiar so-called "Celtic element" in our character and poetry may not be Celtic at all, but Pictish, whatever Pictish may be, and we might as wisely talk of a Cruithnian as of a Celtic "Renascence." In fact, the marked peculiarity and charm of Celtic poetry exist as strongly in the literature of Finland, and are apparently the result, not of race, but of an isolated life, in lonely forests or hills, a life lived by a dispossessed and unsuccessful people.[35] In the same way, as Mr E. W. Robertson showed, "Celtic institutions" are only archaic institutions of wide diffusion, preserved among the intricate recesses of the townless North and West, after they had evolved into other forms in the civilised South and East. Whoever and whatever the Picts may have been, if not Celts *in* speech they became Celticised, and were blended with that people which, through almost all Scottish history, reckoned itself as "the auld enemy of Scotland."[36] The true makers of Scotland, the English settlers between Forth and Tweed, had not yet come on the stage when the Romans withdrew.[37]

NOTES TO CHAPTER I.

[1] Early writers make the Celts fair-haired. The modern Highlanders have a large proportion of dark men; indeed "Roy" and "Dhu," "red" and "black," are equally common nicknames. The dark complexions may be due to a pre-Celtic people, but this is uncertain.

[2] The works of Bachofen, Westermarck, Howitt, Lewis Morgan, and of Mr J. F. M'Lennan, may be consulted; and there are papers on the subject in the author's 'Custom and Myth,' and 'Essays on the Politics of Aristotle.' The question of the necessary priority of reckoning kin through women is raised anew in Spencer and Gillen's 'Natives of Central Australia,' p. 36 note (1899).

[3] Tacitus, Agricola, 21.

[4] Clyde, Clota; Forth, Bodotria. The natives were now secluded, "as it were in another island" (Agricola, 23).

[5] The name "Grampian" is modern, not native, but derived from Tacitus's mention of a Mons Grampius or Graupius.

[6] Agricola, 24.

[7] Ibid., 25, 26.

[8] The scene of this great battle is the subject of debate. Stuart, in 'Caledonia Romana,' follows Chalmers, and places the natives on the heights to the north-west of Ardoch Moor. Mr Skene recognises no mountain there which answers to Mons Graupius, Grampius, or Granpius. Several other sites have been sug-

gested; it is a question for Monkbarns, but Mr Skene, following the Statistical Account of the parish of Dendochy (1797), makes out a good case for his theory. It is to be remarked that Dr David Christison, in his 'Early Fortifications in Scotland,' p. 102, reduces the number of *ascertained* Roman sites to seven. These are the *vallum* between Forth and Clyde; "settlements" at Newstead, Tappuck, Inveresk, and Cramond, with the stations of Birrens and Ardoch. "The evidence of continued occupation is very scanty." It must be noted that though Mr Skene is, on the whole, followed here, the entire question is much disputed. Thus Sir James Ramsay, who has abundant local knowledge, varies in detail from Mr Skene ('Foundations of England,' i. 71-76, 1894). He makes the Highlanders tryst at Dunkeld, and fight on the Redgole Braes, near Delvine, not "between Meikleour and Blairgowrie." Mr Hume Brown abandons the attempt to fix the field of battle or the line of march ('History of Scotland,' p. 3, 1899). Mr Haverfield ('Historical Atlas,' xv., Oxford, 1896) marks no point north of Forth except the camp at Ardoch, and does not allude to the later expedition of Severus to Aberdeenshire. Cf. Appendix A.

[9] The description is far from clear (Agricola, 36), and texts vary.

[10] The term "Highlanders" is here only topographical, and implies no theory of race.

[11] Agricola, 11. [12] This is disputed.

[13] Possibly the wall was later, about 210, and Hadrian's work was merely a *vallum*. Ramsay, i. 82-84; 'Edinburgh Review,' April 1899.

[14] Lollius is just mentioned in a line of a writer of whom nothing is known but his authorship of some memoirs—Julius Capitolinus—and he is the LOL. VR. of an inscribed slab from this "wall of Antoninus."

[15] Professor Rhys reads Verturiones=Fortrenn in later history.

[16] The only Battledykes alluded to by Dr Christison is in Lanarkshire.

[17] Dr Christison is again very sceptical about "Roman roads," *op. cit.*, p. 63. Mr Pelham and Mr Haverfield (Roman Britain in the 'New Clarendon Press Atlas') are not more favourable to Severus. Sir James Ramsay traces the route, by camps, to Wells of Ythan.

[18] Eumenius. [19] Ammianus Marcellinus, xxvii. 8. [20] Rhys.

[21] The curious may consult the works of Mr David MacRitchie. The idea had presented itself to Scott and others.

[22] Skene, 'Celtic Scotland,' i. 194-212, iii. 17.

[23] This view is practically that of Thomas Innes (1729), a Jacobite priest and the first really critical writer on these themes.

[24] See Elton, 'Origins of English History,' 165.

[25] The discovery of the wide diffusion of this institution is due to the late Mr J. F. M'Lennan. See also Mr J. G. Frazer's 'Totemism.'

[26] Elton, *op. cit.*, pp. 298-301.

[27] "Sororum filiis idem apud avunculum qui apud patrem honor." Some even think the relation of uncle and sister's son closer and more sacred than that of son and father. Heritage goes, however, to sons: failing these to brothers, uncles on the father's, and uncles on the mother's side—Germania, 20. On such delicate points the evidence of Tacitus, whose Germans may have been mixed with more backward races, is not very strong, it may be urged.

[28] The Ogam characters in Ireland, Wales, and Scotland are formed by arrangements of straight or slanting strokes on or across the angle of a rectangular stone. See especially Dr Hyde's 'Literary History of Ireland,' ch. xi. (1899).

[29] On this point see Professor Zimmer, "Das Mutterrecht der Pickten," in 'Zeit-

schrift der Savigny-Stiftung für Rechtsgeschichte.' See also Mr Rhys, in 'Royal Commission's Report on Land in Wales': "The Welsh of the present day are, on the whole, not Aryan."

[30] Rhys's Celtic Britain, Rhind Lectures, and Proceedings of the Society of Scottish Antiquaries (1891-1892).

[31] Robertson, Scotland under her Early Kings, ii. 381.

[32] Of this luxury not so much as a tesselated pavement has been discovered.

[33] The policy of Forbes of Culloden was thus anticipated! The reference of St Jerome to cannibalism is 'Adv. Jovinianum,' Lib. 2.

[34] Birrens-wark, "Blatum Bulgium," lately excavated, a very strong camp in Dumfriesshire, was handled in the same fashion.

[35] Of all poetry, that of the Australian natives is most akin to the Celtic—

> "We shall spear Borrah on the morillas,
> And Dinewan shall fall when we throw.
> But Eerin will hunt with us no longer,
> Never again will Eerin eat of our hunting.
> Hunt shall we often, and oft shall we find,
> But the widow of Eerin will kindle no fires for his coming."

See the dirges in Mrs Parker's 'More Australian Legendary Tales.'

[36] The Lord of the Isles to Henry VIII., on July 28, 1545. Tytler, ii. 241 (History of Scotland, edition 1873).

[37] See Appendix A.

It is to be remarked, as to the statement on p. 13 *supra*, about names of English settlements derived from plants and beasts, that Mr J. Horace Round, in a forthcoming work, makes this opinion seem dubious—place-names having been corrupted out of their original forms. This confutes my opinion in 'Custom and Myth,' p. 205.

CHAPTER II.

AFTER THE ROMANS.

NIGHT follows the flying Eagles, concealing the distracted provinces and deserted subjects of Rome. It is "an axe age, a spear age, a wolf age, a war age," a confusion of races, and a twilight of time. The scanty glimmer which reaches us comes from Christian sources, and, though we know something of post-Roman Scotland before it was, for the most part, converted, the best method seems to be to sketch the old heathen religion, and the arrival of the new, before describing the kingdoms which, before the conversion, arose north of Humber. Concerning Caledonian religion, Tacitus only tells us that the natives, in tribal gatherings prelusive to war, offered sacrifices, to what hero or god he does not say. The fact, if correctly reported, attests a higher stage of culture than that of the lowest savagery; for neither the ancestral ghosts nor the supreme beings of such peoples as the Australians, Andamanese, or Bushmen are served with sacrifice. There is likely, in fact, to be very little sacrifice among races who have not yet domesticated animals. Human sacrifices, again, can hardly be offered to gods before victims are slain on the graves of kings, and kings are unknown to low savages. In more advanced culture it is to the gods of Polytheism, rather than to a Supreme Being, that sacrifice is generally presented. As to the higher religious conceptions which may have prevailed among the Caledonians, we have no direct knowledge. Missionaries like St Columba had no interest in the comparative science of religion, and therefore leave to us no evidence. We cannot tell whether the Picts, like the Iroquois, Hurons, Bakuain, and some Fijians, as described by missionaries and travellers, "ignorantly worshipped" that God whom Columba more explicitly "declared to them." Ethnological research has proved

that, among very backward races, there exists a rudely monotheistic or "monolatrous" creed, which is only discovered by Europeans familiar with the language, and initiated into the most secret mysteries of the religion. Concerning this possible aspect of Caledonian faith, we are without information.

We do know that among the Picts, sacred beings, polytheistic, or on their way towards differentiation into polytheism, were adored. Some of them were called the *Sidhe*, and a glimpse of their nature is probably to be found in a curious and charming passage of the Book of Armagh, compiled about 807, and containing two older narratives of perhaps 670,—these again, doubtless, being derived from tradition, written or oral.[1] St Patricius, we learn, was with his attendants one morning, at a fountain near Cruachan in Roscommon. To this fountain, Ethne the Fair, and Fedelm the Ruddy, daughters of the King of Connaught, came to bathe. Seeing Patricius and his company, the girls asked in a Homeric manner, "Whether they were men of the Sidhe, or of the gods?"[2] Patricius replied, "It were better for you to confess to our true God, than to inquire concerning our race." Ethne the Fair then inquired, and her question seems to show the native conception of the gods, "Has your god sons and daughters, gold and silver? Is he ever-living? Is he beautiful? Did many foster his son? Are his daughters dear and beauteous to men? Is he in heaven or earth? In the sea? in rivers? in mountainous places? in valleys? . . ." Such, then, must have been the gods of these Celts, fathers of sons also divine, as in Australian and Andamanese belief, dwellers in sky and sea, in hills and rivers, gods and goddesses beautiful and dear to men.[3]

We so seldom catch a glimpse of real human life in this shadowy age, and the glimpse permitted to us here is so beautiful, that we may study it for a moment. Patricius and his companions, clothed in white garments, are sitting by the well, in the morning light, when Ethne and Fedelm approach. Even so the daughters of Celeus, the Eleusinian king, meet the sorrowing Demeter sitting by the roadside as they pass to the well. "Whence are ye, and whence have ye come?" the girls ask Patricius. "Are ye of the elves or of the gods?" They go on to inquire concerning his God; he answers, they are baptised, and desire to behold Christ face to face.

"Ye cannot see Christ unless ye first taste of death, and unless

ye receive His Body and His Blood." And the girls answered, "Give us the Sacrifice, that we may be able to see the Spouse." Then they received the Sacrifice, and fell asleep in death; and Patrick put them under one mantle on one bed. . . .

Their brief and beautiful life ends in an innocent and peaceful death, as that of Cleobis and Biton, which the Greeks deemed the happiest of all. Such is the legend from the heroic Celtic ages.[4]

We are inevitably reminded by those *Sidhe* of the Irish and Scottish fairies, with their lovely fairy queen, who beguiled True Thomas under Eildon tree. The fairies, in fact, are, in one of their aspects, the ancient *Sidhe*, dispossessed, indeed, but still haunting mountainous places, springs, and the wild sea-banks, like Venus in the hill of Hörsel.[5] Another relic of the Scoto-Irish paganism may be marked in the "Taboos" or sacred prohibitions of the Irish kings. There were five things that the father of Ethne the Fair, the King of Connaught, might not be concerned with :—

> "To form a treaty concerning Cruachan on Samhain's day;
> To contend with the rider of a grey horse
> At Ath Gallta, between two posts;
> A meeting of women at Seaghais at all;
> To sit on the sepulchre of the wife of Maiue;
> In a speckled cloak let him not go
> To the heath of Luchaid in Dal Chais."

The speckled cloak would be of tartan.

These are clearly pre-Christian Taboos, like those of the Roman Flamen Dialis or of African kings to-day.[6] It is curious to meet tartan, "speckled cloaks," in Ireland, so long ago, and to hear of "Cruachan," the slogan of the Campbells, Dalriadic Scots. Curious, too, it is to learn that the *Sidhe* "used to tempt the people in human form, and showed them secrets and places of happiness, where they should be immortal,"—in Fairyland, the Australian *Bullimah*, or land of flowers and rest. So says an old Irish Christian tract.[7] The Gods were propitiated by the *Druid*, against whom St Patricius appeals in a hymn. The Druids (nom. sing. *Drui*) were a mixture of priest and medicine-man, like the Maori *Tohunga*.[8] St Patricius in Ireland, like an English Bishop in New Zealand, was once challenged to work competitive miracles by the *Drui* of King Laogaire, who by magic covered the plain with snow; but St Patrick made the snow vanish, "without rain, clouds, or wind." In Scotland the *Drui*, like the native Matabele sorcerers, made the warriors invulnerable,

or healed them magically. Such were the actual *Druids*,—they were *Tohungas*, medicine-men. Judging by the analogy of similar medicine-men in various races, they may have exercised a good deal of political authority.

This, in faint outline, was the not unalluring or unpoetical religion from which the ancestors of the Celtic inhabitants of Scotland were, to some extent, converted. But readers of 'The Secret Commonwealth of Elves, Fauns, and Fairies,' by the Rev. Robert Kirk of Aberfoyle (1691), will find that a very learned minister, and translator of the Psalms into Gaelic, still believed in the *Sidhe* as actual and not unfriendly beings.[9] This opinion is far from being extinct among the Irish peasantry, and, two generations ago, was extant in the Highlands. Conversions are never complete.

After this glance at Irish Paganism we describe the process of conversion. There are three periods. 1. Before the Roman withdrawal. 2. The time of isolation, when the Church in Britain was cut off from that on the Continent. 3. The renewal of intercourse with Continental Christendom in the middle of the seventh century.

After the conversion of the Empire, the Church in the Roman province of Britain "acknowledged Rome as its head, and it presented no features of difference from the Roman Church in the other western provinces."[10] At the close of this period (*circ.* 397), St Ninian, as has been already said, founded the *Candida Casa*, the church of white stone, dedicated to St Martin, at Whithern, among the Galloway Picts. He was a native of the Roman province of Britain, he had visited Rome, and, according to Bede, his teaching reached the Southern or Cismontane Picts, as far north as the Grampians.[11] A few miles from Whithern, in the side of a steep rock rising out of the sea, is a narrow cleft through which you pass into what is locally styled St Ninian's Cave. Hither the saint is said to have retired from Whithern for prayer and contemplation. The rubbish above the paved floor of the cave was lately excavated, Celtic crosses were found incised on the rocky walls, and it is probable that the tradition of St Ninian's cave is not erroneous.

Another set of monuments of early Galloway Christianity exist at Kirkmadrine in Wigtownshire. On these stone pillars is found the Christian monogram, surrounded by a circle, and attached to the upper limb of the cross. There is also a Latin epitaph on two

priests. "The forms of the incised letters of the inscriptions, and the peculiar symbol that combines the sacred monogram with the penal cross, which is well known to students of Christian archæology, and is supposed to have been introduced about the time of Constantine, are most certainly of a totally different type from the familiar Celtic crosses and Celtic inscriptions so numerous in Ireland and the Highlands of Scotland, where Irish influence afterwards prevailed."[12] It does not seem credulous to regard these monuments as witnesses to Christianity in Scotland, during, or very shortly after, the Roman occupation. They are interesting relics of the Church of St Ninian. Another Latin inscription from Whithern, probably of the fifth century, has been published by Mr Rhys ('Academy,' Sept. 3, 1891).

Antiquaries, especially in Scotland, have so often beguiled themselves by a knack of building card-castles of conjectures, and have been so often deceived by ingenious hoaxes, that a kind of despairing scepticism was recently fashionable. Thus Mr Hill Burton admits that the Kirkmadrine monogram, and the Latin and lettering of the inscription, are peculiar to "the early Christianity of Italy and Gaul." But he is so deeply distrustful that he will only accept the confirmation which these relics yield to Bede's account of St Ninian, "if the testimony of the fragments is strengthened from other sources."[13] No longer ago than 1873 Mr Burton wrote, "In the meantime the Ogham character, and its representations on sculptured stones, can hardly be admitted within the pale of ascertained facts." He spoke of "some scratchings on stones which have been set down as inscriptions in the Ogham or Ogam character." There is now no more doubt about the existence and legibility of Ogam than of cuneiform, or, for that matter, of the ordinary Roman characters. It is pleasant to record any triumphs over the facile despair of antiquarian pessimism.

The period of isolation is, necessarily, obscure, and has therefore been a battlefield of ecclesiastical controversy. When once ruled on the Presbyterian model, after the Reformation, the Scots, or some of their historians, were anxious to prove that they had been primitive Presbyterians in the beginnings. This could not be true in St Ninian's case, for, according to Bede, our best authority, Ninian was regularly trained at Rome. But, under the year 431, it is written, in the 'Chronica' of Prosper of Aquitaine, a contemporary, "Palladius is ordained by Pope Celestine, and sent as

first bishop to the *Scots*, believing in Christ." By *Scots*, of course, *Irish* are here intended. But a legend of the arrival and labours of Palladius in Scotland came into existence, and bore controversial fruit in its season. At Fordun, in Kincardine, was a church dedicated to St Palladius; there was a holy well, "Paldy's well," and a holiday, "Paldy's fair." Now John of Fordun, the well-known chronicler, writing at the close of the fourteenth century, mentioned his local saint's mission from Pope Celestine. Fordun probably regarded the Scoti (Irish) to whom Palladius was sent as Scots of Scotland. He added, "Before the coming of Palladius the Scots used to have as teachers of the faith and ministers of the sacraments only Presbyters or monks, following the rite of the early Church." Now, in Fordun's theory, which was framed to serve his arguments in favour of Scottish antiquity and independence, the Scots of Ireland had colonised Scotland centuries before Christ, and had been converted in 203 A.D. But, if they had never a bishop before Palladius (431), what kind of Church had they between 203 and 431? Fordun, says Mr Skene, "is driven to the conclusion that it must have been a Church governed by Presbyters or monks only. Hector Boece (*flor.* 1526) gave the name of Culdees to the clergy of this supposed early Church, and thus arose the belief that there had been an early Church of Presbyterian Culdees." The Culdees, of course, were a much later set of men, nor were they Presbyterians. Again, Palladius, whatever his adventures may have been, was not sent to Scotland, but to Ireland. His relics may have been brought to his kirk at Fordun from Ireland, as the relics of St Andrew were brought to Kilrymont in Fife. In any case, out of these confusions of the Age of Isolation arose the legend of primitive Presbyterian Culdees in Scotland.[14]

Now comes the period of St Patricius (*circ.* 373-463). It is advisable to call him by his real name, for "St Patrick" almost inevitably suggests an Irishman, and Patricius was none. St Patricius was probably not a myth, though, in the phrase of Thucydides, he has "won his way to the mythical."[15] Accepting as genuine his 'Confessions' or Memoirs, and his Epistle to Coroticus, Patricius was the son of a member of the council of a town in the Roman province of Britain.[16] When a lad of sixteen he was taken prisoner in a great foray of Irish, like that which was broken up by Theodosius the Elder. As a slave in Ireland he kept sheep for six

years, then escaped, and, after residing for a few years in Britain, was ordered in a vision to return to Ireland and preach the Gospel. After some thirty years he was consecrated bishop (a point of extreme obscurity, like everything connected with Patricius), won souls, and ordained clerics. In a later document (Irish) we hear that *all* these clerics, 350 in number, were bishops.[17] To the 350 bishops Angus the Culdee adds 300 presbyters. The same author gives a list of 153 groups of seven bishops apiece, making 1071 bishops in all. The English reader is apt to think here of the celebrated shout of a Celtic hero, "which was heard for three days," and to suspect a Celtic hyperbole; but Mr Skene appears to admit this multitude of bishops as a local peculiarity of the church of St Patricius, intended to suit local conditions of tribal society.[18]

The Irish Christianity of St Patrick was later to overrun Scotland, but the time had not yet come. Among the Picts south of the Grampians, any Church that may have existed at this time (say 450) was a very shadowy survival of St Ninian's foundation. There are, as we saw, a few faint traces of Christianity among the Southern Picts of the fifth century, but very few. More authentic Christianity was that of the Irish Scots, or Dalriads, who settled in Kintyre, bringing their faith with them, as it seems, into a region still heathen.

In the part of the province of Britain south of Forth and Clyde, the old Church of Rome would persist: it maintained relations with the Church of St Patricius in Ireland. North of the Grampians the Picts still remained pagans, and pagans were, of course, soon after this time the English between Forth and Humber. The day was to arrive for their conversion by emissaries from the Irish Church, settled by St Columba in Iona and the North.

But before speaking of the introduction of that Church by St Columba, it is necessary to describe the new political divisions of Scotland after the Roman withdrawal. It is chiefly from Christian sources that we know what we do about these divisions of the deserted Roman provinces into kingdoms held by different races. Therefore it has seemed better first to sketch the rise of the Irish Church briefly, the Church which lent its light to Scotland, with the Irish St Columba, about 563-585. On what kind of country, how organised, did that light dawn? The region historically known as Scotland was then divided into four kingdoms, of which the two

southernmost overlapped the region which is now England. The wars of Brython, Scot, Pict, and English (invaders from Schleswig) had resulted for the time in an adjustment of territory thus: the whole of the north and west of the island, from Cape Wrath to the mouth of the salt-water Loch Leven, between Appin and Lochaber, was Pictish. A straight line drawn from Loch Leven, due east to the range of mountains called Drumalban, marks the south-western frontier of Pictland, which then marched on the east side of Drumalban, including Athol, Stirlingshire, and Fife, and was bounded to the south by the Firth of Forth. Eastward all was Pictish north of the Firth. South from Loch Leven to the extremity of Kintyre, and including Bute, Arran, Islay, and Jura, was the kingdom of the immigrant Dalriadic Scots from Ireland. This kingdom, from the mouth of Clyde, including Dumbarton, marched on its east side with the Brython realm of Strathclyde, which included Renfrewshire, Ayrshire, Lanarkshire, Peebles, Dumfriesshire, and Cumberland and Westmoreland as far as the Derwent. The people were mainly Brythons, and akin to the Welsh of Wales. St Kentigern is the best known of their shadowy saints, and was the Patron of Glasgow. On the west, the forest of Ettrick severed these Brythons from the English, whose kingdom of Bernicia bordered Strathclyde on the south and east, and extended north as far as Haddington. In a kind of *enclave*, where Edinburgh now stands, and up the south coast of the Firth of Forth, was a mixed population of English and Brythons, and the region was much contested. Galloway is said to have been Pictish.[19] Here are four kingdoms, Pictland (Pictish), Dalriada (Irish), Strathclyde (Brython), and Bernicia, with the twin southern kingdom, Deira (English). The most northern, Pictland, was traditionally divided into seven provinces, answering to Fife, Athol, the Mearns or Angus, the region from Tay to Forth (Fortrenn), Caithness, and two others, of which Moray must have been one. The Pictish king, when St Columba came, dwelt far to the north, near Inverness. Later, we find his headquarters in Forfarshire.

A peculiarity of the Pictish kingdom, which produced curious political results, was that the sceptre never passed from father to son. Failing brothers, the succession went to the son of a sister. No king, in the Pictish genealogies, is ever the son of his predecessor. Mr Skene suggests that kings were chosen from one family, clan, or tribe (it is difficult to hit on the correct name

for the sort of kinship intended), or perhaps from one such kinship among the ultramontane, and another among the cismontane, Picts. It would also appear that the women of this kindred were not allowed to marry the men thereof, according to the archaic law of exogamy. To understand this, let us suppose, for the sake of illustrating the arrangement, that the Picts were once Totemists. The people would then be divided, say, into kindreds of the Dog, the Deer, the Salmon, the Wild Cat, no man being allowed by the law of exogamy to marry a woman of the kin of his own kin-name and animal Totem. If then one such kindred, like the kindred of the Sun in Peru, acquired a recognised rank as that from which alone kings might come, and if that kin were the Dogs, in each case the king would have to be a son of a woman of the Dogs, and of a non-royal father, a Deer, Salmon, Wild Cat, or the like. On the king's death, a brother of his would succeed, or, failing brothers, a nephew, a *sister's* son. Thus kings would always be sons of non-royal fathers. If, as happened at least twice, the father of a king was no Pict at all, but a foreigner, British, English, or a Scot, and if he was powerful enough to override the law and get the succession secured to his son, then, foreign as this king would be, his son and successor would still represent the royal Pictish kin in the right way, namely, on the spindle side. As will be seen later, something of this kind appears finally to have occurred, and to have amalgamated Picts and Scots.[20]

The Picts, before the coming of St Columba, were pagans. The Scots, in their Dalriadic kingdom of Kintyre and Argyll, were Irish, and probably Christians. Under Fergus MacErc, they had crossed from Ireland at the end of the fifth century, but here their early fortunes are obscure. Four generations later the great-grandson of Fergus, Aidan, was practically the real founder of the Dalriadic kingdom, having been established by St Columba, much as Samuel established Saul.

As to the southern kingdoms of Strathclyde and Bernicia, with Deira, their boundaries shifted with the wars between the Romanised Brythons holding their ground in the west, and the pagan English invaders of the east. These wars were waged in 420-550, and later. If we follow Mr Skene, a Brython commander, Arthur, after whom Arthur's Seat, and the famous Roman edifice, "Arthur's Oon," are named, fought in the Lennox, around Edinburgh (then called Mynyd Agned), and in Lothian. However well this more or less

historical and unmythical Arthur battled, an English leader, Ida, about 547, built the fortress now called Bamborough, and founded an English kingdom, which stretched from the Humber as far north into what is now Scotland as the arms of his successors could extend and maintain it. Their chief opponents were their western neighbours, the Brythons of Strathclyde. The reader will, of course, remark that of the four kingdoms, Dalriadic Irish, Pictish, British of Strathclyde, and English of Bernicia, the two latter realms extended south far beyond the line of modern Scotland. This fact had remarkable consequences in later Scottish history. Otherwise the existence of these four kingdoms mainly interests us as showing the nature of the races—Pictish, Irish, British, and English—who were, then, the inhabitants of various parts of Scotland, leaving, doubtless, their strain of blood in the population. A Dumfries, Ayr, Renfrew, Lanark, or Peebles man, as a dweller in Strathclyde, has some chance of remote British (Brython) ancestors in his pedigree; a Selkirk, Roxburgh, Berwickshire, or Lothian man is probably for the most part of English blood; an Argyllshire man is or may be descended from an Irish-Scot or Dalriad; the northern shires are partly Pictish, as also is Galloway, always allowing for the perpetual mixture of races in really historical and in prehistoric times.

Having now defined the ethnological divisions of early Scotland, we must glance at the method of its conversion. The Dalriad kingdom, as has been said, was Irish, the rulers were tributary to their Irish kin across the sea, and, after the time of Patricius, they were Christians. In 560 they were severely defeated by Brude, King of the Picts, and their king fell in battle. Their domains were now narrowed, and their royal house was tottering. This defeat of Irishmen settled in Kintyre, by Picts, probably gave St Columba (b. 521?) a motive for attempting to relieve his Dalriadic and Christian kindred in Kintyre, by converting their Pictish and pagan conquerors. A well-known tradition reports that Columba, himself of royal Irish blood and Dalriadic kinship, was excommunicated first and then exiled (though his admirers dispute this), for involving his country in a bloody war about a question of copyright.[21] Excommunicated for a time he may have been; but no sentence of exile prevented him, after he settled in Scotland, from visiting his Irish monasteries when he chose. Love of proselytising adventure, interest in his Dalriadic kindred, and possibly turmoil at home, must have com-

bined to urge Columba forth on his momentous travels. In 563-565 he founded his missionary settlement in the Isle of Iona, which he seems to have obtained from a Dalriadic king, or in some other way. For two years Columba was settling his monastery, and converting the local Picts of Lochaber, Morar, Appin, Mamore, and Ardnamurchan. In 565 he made his way, perhaps up Loch Sheil, and across country to the long line of lakes, and so to the palace of Brude, King of the Picts, on the Ness. It is not needful to regard Columba's reported contest with the local miracle-workers of Brude (the *Druid*) as copied from Moses' strife with the magicians of Pharaoh. We have seen that a modern missionary bishop may be challenged to a war of miracles by a Maori *Tohunga*. The Huron *jossakeeds* performed miracles with which the Jesuits could not compete. St Columba could! He outdid the *Druid*, converted Brude (or, at least, made him friendly), and in 574 began to reap the political fruits which occasionally reward missionary enterprise. The Dalriad king had died, a successor was needed, and Columba declared that by crystal-gazing in a "book of glass" he had read the name of Aidan as the king's successor.[22] Having thus made Aidan king of the Dalriadic region, Columba went to an Irish national gathering at Drumceat, where his diplomacy won for the Dalriads in Scotland exemption from tribute to Ireland, but not from military service. Brude, the Pictish monarch, probably was gained over to recognise Aidan as a brother king. Aidan now warred successfully against men apparently of Pictish blood in the country between the Stirlingshire Carron and the Pentlands, and won, in that region, the battle of Chirchind. Far away, in Iona, St Columba beheld the battle.[23]

While Christianity was winning the northern Picts under Columba, it appears to have had some successes in the Brython kingdom of Strathclyde or Cumbria. In 573, a saint of Strathclyde, St Kentigern, the patron of Glasgow, was recalled from exile in Wales by Rhydderch Hael, a victorious Cumbrian king who had been baptised in Ireland. The non-Christian Cumbrians appear to have combined what of Celtic religion had survived with a predilection for Woden, the god of their heathen English neighbours. After reconverting the Cumbrians, especially those around Dumfries, Kentigern undertook some missionary work in Aberdeenshire. About 584 he is said to have met St Columba. His death was attended with peculiar circumstances,—indeed his whole career is involved in

mythology. But he does seem to have formed a link between the Church in Wales, the Church in Strathclyde, and the Irish Church founded by Columba among the Picts.[24]

Unfortunately for the Celtic missionaries and their prince, Æthelfrith, the Destroyer, "a man like Saul of Israel, except that he was ignorant of holy religion"[25] (in which Aidan was instructed by St Columba), was now reigning over Deira, whence he drove Eadwine, the rightful prince. Aidan, the Argyll Irish Scot, marched against Æthelfrith with a huge army. They met at Dawstanerig, between Liddesdale and the passes into North Tyne, and the Nine Stane Rig, with its nine stones, marks the place where Æthelfrith and the pagan ancestors of the Lowland Scots utterly routed Aidan and the forces of the Christians of Argyll (603). From that day till Bede's own time (731), no king of Picts or Scots showed his face in war against the Englishmen between Forth and Humber.[26] The reader will remember Surtees's forged ballad about the scene of Aidan's defeat:—

"They shot him dead *at the Ninestane Rig*."

Three years later Aidan died. Æthelfrith now (613?) routed the Brythons at Chester, and so severed the Welsh from their kindred in Cumbria, or Strathclyde. In 617 Æthelfrith fell in battle with his English neighbours of East Anglia. His sons were expelled; the eldest, Eanfrid, married a Pictish princess, and was father by her of Talorcan, a Pictish king, while the second, Oswald, was baptised in Iona. Meanwhile Eadwine, rightful prince of Deira, who now held by conquest the throne of Æthelfrith, and reigned over the English from Forth to Trent, was also converted by Paulinus (627), and, as "Bretwalda," held a vague far-reaching sway over both Celts and his own countrymen. He has left his mark in Eadwinsburh (Edinburgh), won from the Brythons, and the modern capital of Scotland has exchanged the name of Mynyd Agned for an English title. Eadwinsburh was the commanding strength of "Lothene," "Laodonia," the Lothians: thus ancient and thus deeply rooted is the Englishry of the East Lowland Scots. This, at least, is the current derivation of Edinburgh, but a recent writer makes the fact doubtful.[27]

But fortune turns her wheel. In 633 the Christian Eadwine fell in battle at Haethfield,[28] in Yorkshire, where he was defeated by an unholy alliance of Cadwalla, the "Christian" king of the

Kymry (Welsh and Cumbrians), with Penda, the still heathen king of Mercia. In a year of ruin, the son of Æthelfrith succeeded to Eadwine, but was murdered, it is said, by Cadwalla. His brother Oswald had been converted, as we saw, at Iona, and now came south, to receive his own, with an army of English Lowlanders. Inspired by a vision of St Columba, he defeated the murderer of his brother at a place near Hexham, and near the Roman Wall (634). Oswald now restored Christianity, and brought teachers to England from among his old friends at Iona. Aidan, a priest of Iona, introduced the Columban or Irish rite, with the Irish tonsure, and peculiar way of reckoning Easter-tide. But in 642 the indomitable heathen Penda defeated and slew Oswald in Shropshire. He was succeeded by his brother, Oswiu, who suffered painful things from Penda, till, in 655 (654?), Oswiu routed and slew Penda, perhaps at the Fechtin' Ford in Stirlingshire, but this is very dubious, a site near Leeds being preferable.[29]

The civilisation of Scotland depended, and has always depended, on the predominance of the English element over the Celtic. The victory of Oswiu practically secured this predominance for a generation. For thirty years the English, from Forth to Humber, were the masters of the Welsh Celts of the kingdom of Strathclyde, now cut off from their brethren of Wales, of the Irish Celts—the Scots of Argyll—and of the Picts up to the Grampian range at least, whose king, Talorcan, at the moment was a Pict only on the mother's side, and was English by male ancestry, being son of Eanfred, brother of Oswiu.

All these successes of Oswiu were presently vexed by disturbing and virulent questions of minor religious regulations. These quarrels were burning just when St Cuthbert entered into religion at Melrose (651). This, therefore (654), is the moment to glance at the quarrels that still echo feebly in controversies about the primitive complexion of Scottish Christianity as exhibited in "Presbyterian" Culdees. We have said that the civilisation of Scotland has always depended on the predominance of the English over the Celtic element—to take an extreme instance, of Bailie Nicol Jarvie over Rob Roy. To this it may be fairly replied that Scotland owed Christianity itself, with all its civilising influences, to the Celtic element. This argument cannot honestly be refuted by a discourse on the precise nature of the relations between Christianity and civilisation. Setting everything else aside,

Christianity, wherever it came, brought with it books and letters into regions whose inhabitants had never seen pen and ink. Christianity also tended to bring back that connection with the western world which the Romans had introduced, and which was broken by the Roman withdrawal. These boons the Christian Celts undeniably gave to the heathen English of south-eastern Scotland. But with that singular fatality which has dogged the Celtic races, their form of Christianity, however pure in doctrine, varied, in certain ceremonial trifles of the most essential importance, from the Christianity of the western Church—the European Church. Thus the Celtic Church was, practically, at this date, cut off from uniting with Rome, and from the civilisation which the western Church kept alive; while this unity, with its attendant advantages, had to be restored by the English element.

What, then, was that form of Christianity,—what kind of Church did Celts offer to heathen Englishmen in Scotland and England? It was marked by peculiarities, partly common to the age, partly resulting from its environment—the tribal society of Ireland. Thus it was, as in contemporary Gaul, *Monastic*, for the Irish Christians had combined, for union and strength, into so many sets of monasteries, each monastery being a kind of fortified village, or *kraal*, of wattled huts.[30] No doubt the σκηναὶ of the northern Picts, described by Dio Cassius, were not tents, but wattled structures like these. The necessities of early Christian life in Ireland, then, produced a monastic Church on this pattern, a Church of fortified populous missionary stations, which Columba spread abroad among northern and southern Picts. Thus the Church now presented for the acceptance of the heathen English, from Forth to Trent, was *Monastic*. Again, the long period of isolation from Rome and the Continent had permitted strange usages to grow up in, or early usages to survive in, the Scoto-Irish Church. Their nature appears from the adventure of Saint Columbanus (not Columba, of course), who, in 590, led twelve Irish monks into Gaul and Burgundy. They were clad in white tunics, covered by coarse woollen cloaks, undyed. Their tonsure, unlike that of Rome, was in front, "from ear to ear."[31] They said, in a rather Protestant spirit, that they "accepted nothing outside the Evangelical and Apostolical doctrine." And, most important discrepancy, they calculated the falling of Easter on a method of their own (a method elsewhere obsolete), which sometimes caused a difference of a whole month between their Easter

and that of the Church. When questioned on this point, Columbanus answered by practically denying that the Pope's jurisdiction extended beyond the limits of the Roman Empire, or applied to himself, an Irishman in Gaul.[32]

Trivial as these differences seem, they were reckoned essential. In the country of the newly converted English of Bernicia, Oswiu was keeping Easter at one date, the Scoto-Irish date, while his queen, a lady from Kent, was keeping it at another, the Roman or universal date. An old Scottish song declares—

> "That all the world shall see
> There's nane right but we,
> The men of the auld Scottish nation."

This appears to have been the spirit of the Irish Church for a while as regarded the question of Easter. "Rome errs, Jerusalem errs, Alexandria errs, Antioch errs: all the world errs; only the Scoti and Britones are in the right."[33] This posture of affairs could not last, and, in 664, a Synod held near Whitby, where St Hilda lived, decided in favour of the Roman Easter and tonsure, moved thereto by the eloquence of St Wilfrid. Colman, the Bishop of the Iona or Scoto-Irish school, therefore left Lindisfarne for the North. But the Picts of the North under King Nectan, who had been converted by Columba and his disciples, conformed, in 710, to the Roman rule already adopted by the English in 664, if not by Strathclyde. The Columban monks who resisted were driven beyond the limits of the Pictish kingdom into Dalriada (717), though the circumstance is disputed, the evidence of Bede being set against that of an Irish annalist, Tighernac.[34]

Thus, if Celts brought to heathen English the Columban Christianity, Christian English led the way, before the Celts, in the return to unity with the western Church. The poetic eloquence and miracle-working faith of the Celts made them excellent propagandists; organisation had to come from the English under continental discipline. The Church of the tribe yielded to the Church of the empire.

While the English dwellers in what was to be Scotland had their sorrows with Penda at this date, and were embracing Christianity, the Picts, Dalriads, and Britons were fighting confusedly. History at this time is like the moors and straths, on which you occasionally meet a tumulus surrounded by a circle of stones, and hear, in the

Gaelic place-name, the faint echo of a forgotten battle. It is certain that, in 684, Egfrith, Oswiu's son, harried Ireland, perhaps to prevent the Irish from aiding the Dalriadic Scots. In 685 he attacked "the beastly Picts," as a contemporary writer calls them. He was defeated and slain at Nectan's Mere, in Dunnichen, a parish of Forfarshire, and the English supremacy over the Picts was utterly lost. Up to the date of this battle an English bishoprick had its seat at Abercorn on the Frith of Forth. The bishop, Trumwin, was obliged to retire to Whitby, and the limits of the bishoprick shrank to the Pentlands.

The Picts and Dalriadic Scots now fell to a kind of quadrangular duel among themselves, being at war with each other, while factions combated within each race. Nectan's acceptance of the rule of Rome, followed, as some hold, by the expulsion of the Columban monks into Dalriada (717), may have added religious fervour to these secular animosities. The ebbs and flows of fortune in these far-off wars are difficult to follow. They ended in "the undisputed ascendancy of the Pict, Angus MacFergus" (730). He was counted as an ally by the English kings of Mercia and Northumbria, and in his conquests over the Dalriad Scots (Irish of Argyll) and the Britons of Strathclyde "may be traced apparently the germs of the future kingdom of Scotland."[35] Angus died in 761, his consolidated realm fell to pieces, and it is useless to clog the memory with the names of Drust and Bile, Brude and Aed. The brief chronicles usually give to each year "*Jugulatio* of" So-and-so. These monarchs *jugulated* each other, till, in 839, the Northmen, who burned Iona in 802—the ecclesiastical centre was removed later to Dunkeld—ravaged Northern Ireland, crossed to Scotland, and routed the men of Fortrenn.

This left a door open for Kenneth MacAlpine of Kintyre, who first mastered Dalriada, and two years later (844-860)[36] became king of the Picts, after a series of victories over them. This Kenneth was a Scot by his father's side, but apparently a Pict by his maternal ancestry. Thus, from a Pictish point of view, Kenneth was a Pict: from a Dalriad-Scottish point of view, he was a Scot, and "national susceptibilities" were conciliated by his accession. The Scots could say, "Here we Scots are lords of Pictland"; the Picts could say, "Here we have a genuine Pict of the old sort for king." But as civilised mankind does reckon descent and nationality by the father's, not, in the Pictish fashion,

THE KINGDOM OF ALBAN
MOREVIA
River Spey
ALBANIA OR ALBAN
Dun Fother
Maghgherginn or Moerne
Scone
Dunduin
FORTHENN
SCOTS
Duneden
Alclyde
Bamborough
CUMBRIAN BRITONS
SAXONIA
GALLGAIDEL
SCOTIA
Isle of Man
DANES
CAITHNESS
6
5
4
3
2
1
58
57
56
55

by the mother's side, Kenneth, though perhaps a Pict among Picts, was a Scot "to all Europe." Hence his kingdom came later to be called Scotland, with all the territory later won as far south as Tweed. And thus the Scots, originally Irish, have given their name to a country whereof, perhaps, the greatest part of the natives are as English by blood as they are by speech.[37]

The capital of Kenneth was Forteviot, not Scone, where the Stone of Scone (perhaps an old Christian altar-stone) was the seat occupied by the monarch at his accession. It is probably *not* the stone of Tara, though the Fenians tried to steal it from Westminster on that score! Authentic evidence, in any case, of *coronation* comes much later.[38] The accession of Kenneth MacAlpine opens a new, and singularly difficult and intricate, period in the history of Scotland. The circumstances of his own rise to the united sovereignty are obscure. The little Irish kingdom of Dalriada had, apparently, grown weaker and weaker, yet Kenneth MacAlpine is, by paternal lineage, a Scot of Dalriada, and he becomes king of Picts. The following years, perplexed by battles with the invading Northmen, show a gradual movement of royal and ecclesiastical power towards the comparatively fertile and level lands of the east. St Andrews, for example, becomes the ecclesiastical metropolis. But here we may pause, having seen how Scotland was Christianised, and even brought partially, by no means wholly, into conformity with Rome. To complete the process of reconciliation with Rome was reserved for the energy of the English Saint Margaret, more than two centuries after the accession of Kenneth MacAlpine.

NOTES TO CHAPTER II.

[1] Mr Plummer doubts if there was any St Patrick. Zimmer believes that the documents cited are "not *earlier* than the first half of the ninth century,"—Kelt. Beitr., iii. 77, 78. Mr Charles Plummer's Bædæ Op., ii. 25.

[2] Here the ladies distinguish between the Sidhe and the gods. 'Tripartite Life,' i. 101. See Appendix B.

[3] See an interesting account of Irish gods in Elton, *op. cit.*, pp. 286-296; and Hyde, 'A Literary History of Ireland,' chaps. viii.-x. Also Mr Nutt's 'Voyage of Bran.'

[4] 'Tripartite Life,' Whitley Stokes, i. 102, 103.

[5] An Irish antiquary, writing from Cork, remarks that the Queen of Faery may still be met between rock and sea. Mr Alfred Nutt's first Presidential Address

to the Folk-Lore Society (1897) may be consulted on the divine descent of the fairies.

[6] Leabhar na g-Ceart, or the Book of Rights, p. 21. Dublin Celtic Society, 1847. Edited by John O'Donovan.

[7] O'Curry's Lectures, ii. 198. Skene, ii. 110.

[8] Bishop Selwyn once tried to convert a Maori chief, who said, "Can you *do* anything?" meaning work any miracle. The Bishop, as reported, said that our religion only professed to work miracles in the heart. "Bah!" said the chief, "I don't ask you to compete with *me*, who am of the blood of the gods. But my *Tohunga* (family chaplain) will meet you. Can you turn this faded leaf green again?" The Bishop repeated his remark. The *Tohunga* then tossed the sere leaf in the air. *It came down green*, and the chief remained wedded to his idols. —Information from Mr Tregear, F.G.S.

[9] The general theory of *Sidhe* and *Druadh* is Mr Skene's (ii. 108-120). The fairy survival, the parallels in Maori magic, and the Taboos, are added by the author.

[10] Skene, ii. 2. The point is controverted.

[11] Bede, bk. iii. ch. 4. C. Plummer's ed., i. 133.

[12] Dowden, The Celtic Church in Scotland, 14, 15.

[13] Burton, i. 153; cf. p. 42 and p. 68.

[14] Skene, ii. 26-31. 'Tripartite Life of St Patrick,' Whitley Stokes, Rolls Series, pp. 272, 332, 419. The precise facts are disguised by various traditions and modern conjectures. See 'Tripartite Life,' i. cxli.

[15] The sources of evidence for the real existence of Patricius are presented in Dr J. Heron's 'Celtic Church in Ireland,' chapter iii.

[16] Or in Boulogne, or at Dumbarton.

[17] This Celtic statement reminds us of the "four-and-twenty men, with five-and-thirty pipers," who accompanied a celebrated chief on a fatal expedition. It has, however, a meaning that dates from the days of "many bishops, few presbyters."

[18] Skene, ii. 25, 26.

[19] Lives of St Ninian and St Kentigern, 220. A. P. Forbes, 1874.

[20] Skene, i. 234, 235. If this Totemistic arrangement ever existed, it must have been long before Columba's arrival. The law of exogamy, and reckoning by the female side, however, still endured. Cf. Bede, Gesta Anglorum, i. 8-25, with Chron. Picts and Scots, pp. 40, 45, 126, and List of Pictish Kings. Robertson, ii., Appendix A. Zimmer rightly explains Bede's error (Leabhar Nan Gleann, p. 32).

[21] Columba had copied a Psalter from a MS. of another saint, who claimed it on the ruling that "the calf follows the cow." See Reeves, Adamnan, p. xxxvi.

[22] The story may have been true; printed or written words *are* read by crystal-gazers, and the suggestion of Aidan's name doubtless floated up from Columba's subconscious self. To him and his flock this would seem a miracle; to sceptical historians, a pious fraud: the facts need have been neither fraudulent nor miraculous, though the angel who brought the glass book may be a mythical accretion.

[23] From a passage in Adamnan's account, it has been thought that he saw the battle in the sky, as Miss Campbell of Ederein, in 1757, near Inverary, beheld that of Ticonderoga. But Columba was apparently under a roof when he had the experience. The miracles in Adamnan are curious, and will, later, be compared with the miracles of the English St Cuthbert. They may be analysed thus: (1) Copies of Biblical miracles, such as raising the dead, and turning

water into wine. (2) Fairy tales or *Märchen*, attracted into the cycle of Columba. Such is the story of a stake which would kill deer, but not tame animals or mankind, and of the misfortunes which befell the Lochaber man to whom Columba gave it. (3) Visions of angels. (4) Affairs of telepathy, clairvoyance, and second-sight. Adamnan's Latin is odd, but Dr Reeves's translation—"he did not deny but that by some divine intuition, and through a wonderful expansion of his inner soul, he beheld the whole world, . . . as in the ray of the sun"—is sufficiently accurate. Adamnan, practically anticipating Hegel's theory of such things, says, after St Paul, *qui adhæret Domino unus spiritus est.* (5) Physical miracles. The saint shines in a marvellous light. Objects are brought to him from a distance (technically styled *apports*). (6) Normally possible occurrences, regarded as miraculous. (7) Miracles of healing, due to "suggestion" (?). The interesting point is to notice that, in the stress of the Reformation and of the Covenanting excitement, precisely the same sorts of miracles, except (1), (2), and perhaps (3), are reported about Protestant preachers, and supplied the supernormal basis of their influence over their Presbyterian flocks. For Columba, see Dr Reeves's edition of Adamnan, in 'Historians of Scotland,' volume vi. The social life of his followers is described later in this work.

[24] Skene, ii. 179-199. The Lives of Kentigern are very late, but by studying Celtic sources and dedications of churches, Mr Skene has rescued some grains of fact from the mass of legend.

[25] Bede, Bk. i. xxxiv.

[26] Battle of Degsastane or Dawstane.

[27] Miller, 'Pro. Soc. Ant. Scot.,' xxiii. 323-332 (1889).

[28] Now Hatfield.

[29] Compare Skene, i. 255, 256, with Freeman, Norman Conquest, i. 36. Sir James Ramsay places the field "on the banks of the Winwaed, now the Are." For Oswald's and Oswiu's claims north of Forth, see Freeman, N. C., i. 547.

[30] Such a hut was Cluny's famous cage on Ben Alder, his place of refuge after Culloden, and Scott's friend, Glengarry, had a shooting-lodge of the same kind.

[31] But see an essay by Dr Dowden in 'Pro. Soc. Ant. Scot.,' 1895-96, p. 325.

[32] Columbanus to Boniface IV. Migne, Patrologia, xxxvii., coll. 275-282. Skene, ii. 7.

[33] Cummian. ad Segien., A.D. 634. Councils, Hadden and Stubbs, vol. ii. part i. period ii. p. 108; vol. ii. part ii. period iv. p. 293.

[34] Cf. Hume Brown, History of Scotland, i. 25. Bede, Hist. Eccles., v. 22. Skene, i. 316; ii. 177. Chron. Picts and Scots, pp. 8, 74.

[35] Robertson, Scotland under her Early Kings, i. 13.

[36] Cf. Skene, i. 308, note. Chron. Picts and Scots, p. 209.

[37] Mr Skene thinks that Kenneth may have been leader of broken Dalriad Scots in Galloway, who took advantage of the Pictish weakness under attacks of Northmen, i. 319.

[38] People who see in every sacred stone a grave-pillar which has developed into a fetich or a god, may observe that this example is an oblong block of red sandstone, 26 inches long, 16 broad, and 10 deep. The Irish missionaries were apt to carry about such stones wherever they celebrated the Eucharist. This portable slab may have been such an altar or table. Skene, i. 282. Of course an Irish missionary *may* have rescued for Christianity an earlier heathen sacred stone, but all this is idle guess-work. St Cuthbert's portable altar, now at Durham, was of wood, and this seems to have been usual. The Pictish rites appear to have been "very curious and disgusting"—heathen, in fact—and survived till they horrified David I. Robertson, i. 36, note; Elton, *op. cit.*, p. 176.

CHAPTER III.

THE DYNASTY OF KENNETH MACALPINE.

THROUGH all these dim centuries, which scarcely had a recorded history, and, for all that, were not happy, the blind tendency of things was towards the making of Scotland. The process was full of difficulty, owing to the national differences, Scoto-Picts, English, and Northman, in the elements. Which of these three factors, if any, was to dominate the others? The advantage might, in the days of Kenneth MacAlpine, have seemed to be on the side of the Scots, who were the most homogeneous people, and had something most nearly resembling a central and established power. But the Northmen, too, were homogeneous, and probably, on the whole, were the best armed and disciplined. The Northmen, however, were mere invaders, far from their base, and were apt to engage in rivalry with each other, all of them being, in a later phrase, "gentlemen adventurers." But the institutions of the Picto-Scots, also, seemed to have been developed out of the very love of distracted counsels and centrifugal tendencies, all making against their chance of uniting Scotland, as must now be shown.

We have seen already that the Pictish kingdom was traditionally divided into seven provinces, or principalities, from Caithness to Fife. "Nothing whatever is known of them;" but, long afterwards, as late as the reign of Edward I., we meet the "Seven Earls of Scotland," who assert a right to elect a king, when the succession is disputed. That alleged right seems to be an echo of a tradition, according to which the rulers of the old seven Pictish provinces elected the King of Picts.[1] It will be shown in the following chapter, when we deal with social life in Early Scotland, that each province was (or at least may fairly be envisaged as) a *Mor Tuath*, or Great Tribe, composed—on what precise principle is not clearly

known—of several *Tuath*, or tribes. Each of these tribes had a Ri, or King; each *Mor Tuath*, or province, had over it a King of higher grade, and, possibly, the Seven Kings of the *Mor Tuath*, or provinces, had an elective voice when circumstances brought into doubt the succession to the sceptre of the Ardrigh, the "Head-King" of Pictland in general, the sceptre at this date held by Kenneth MacAlpine.

There is no worse form of political rule than that of elective monarchies, witness Poland. Kings, in Pictland, doubtless were theoretically elective, just as in the Germanic constitutions; but they were elective out of a given family or kinship. When a King of Scots died, then the question arose, which *brother* of his was to succeed him? Mr Robertson supposes that this matter would be fought over by the foster-fathers of each brother,—all the foster-fathers being jealous for the interest of their own *dalt*, or fosterling.[2] Precedency of the eldest brother, however, in time became the rule, with exceptions, and so far the anarchic tendencies were mitigated. Beside the new king, when he was consecrated, whether by heathen rites (which were very singular and repulsive) or by those of the Church, stood his *Tanist*, or heir-apparent of the crown, who "seems to have been nominated on the same occasion."[3] By this ingenious arrangement, every new king had beside him, from the first, a grown-up crown prince. History tells us how rarely, whether among the Incas of Peru or in the House of Hanover, a king and a crown prince have been able to keep the peace between themselves. It might be convenient to have an already acknowledged successor, who should step in without dispute when the Scottish king was murdered (as usually happened), but it was by no means so convenient for the king to have a rival monarch waiting for his succession and thwarting his policy. This posture of affairs will be found fruitful in disturbance, though, on the other hand, the abolition of Tanistry, in later days, as frequently led to wars of disputed succession.

The authority of the Pictish king (*Ardrigh*, chief king) over the Ri, *reguli* or minor kings of provinces (*Mortuath*), depended on the Ardrigh's own strength of will and arm. Much later than Kenneth MacAlpine we shall see kings who could not hold their own against their *reguli*, or *Ri Mortuath*. For Kenneth and his dynasty the chief things necessary were to keep firm hold of the centre of the country, from Spey to Forth; to resist the Northmen; to put down

rivals in the province of Moray; to form alliances with Strathclyde; to hold Dalriada, mainly against Northmen; and to raid the English of Lothian, thus gradually acquiring ascendancy in that southern region, but bequeathing to Scotland (as the result of an alleged infeudation of Lothian to the Scottish king) the secular English claims to overlordship of the whole northern realm. There were many vicissitudes of fortune. At times Dalriada, including Argyll, Kintyre, and the southern Isles, was won by the Scandinavian invaders. The Orkneys, Caithness, and Sutherland, too, stooped to Viking earls; even Moray was often imperilled, either at the Northmen's hands or at those of a rival branch of Kenneth's line. But, in spite of all, the line of Kenneth kept a grip of central Scotland, and even in course of time obtained, in ways not clearly understood, domination over Strathclyde, or Cumbria, and English Lothian. The troubles of a divided England, wasted by the Danish host, made possible this success, and finally a dynasty, founded in Pictland by a Scot, and rent asunder by the jealousies necessarily aroused by the curious system of succession, consolidated Scotland, only to hand it over to a dynasty half English in blood and wholly Anglo-Norman in creed, language, sentiment, and education.

Such was the unlooked-for result of the toils which awaited the line of Kenneth. Making his way to the Pictish throne, as a result of these Viking successes which appeared likely to turn Scotland into a Scandinavian appanage, Kenneth enjoyed the advantage, that before him, as we saw, a Pictish monarch, Angus Macfergus (*ob.* 761), had been powerful enough to consolidate the Pictish provinces into a union closer than had previously existed. To this nucleus of uneasy realm the Scot, Kenneth MacAlpine, succeeded, reigning from 844 to 860. Brythons of Strathclyde and Northmen ravaged Kenneth's realm, but Kenneth in turn raided English Lothian as far south as Durbar. Iona being exposed to repeated attacks by the "heathen of the Northern sea," the bones of St Columba had been removed by Constantine Macfergus (789-820) to Dunkeld.[4] The church there, too, was soon ruined by the enemy, but Kenneth rebuilt it as a shrine for the relics of the great Irish saint. Kenneth's daughter married the Brython prince of Strathclyde, with important results. Kenneth was followed by his brother Donald (died 863), and Donald was succeeded by Kenneth's son Constantine[5] (863-877). At this time the Vikings, distracted at home, had secured a hold upon Ireland, Orkney, and Shetland; they seized

Caithness and Sutherland as far south as the Kyle, where Oykel and Shin reach the sea, and even added to these territories Ross and Moray.[6] There seemed to be no reason why the Northmen should not make a new Norse kingdom of Scotland, but the defeat and death of their leader Thorstein (attributed by them to the perfidy of Constantine's men) prevented that result (875).[7] In 877, however, Constantine died in resisting a Norse attack on Fife. He is rumoured to have been tortured to death in a cave near Crail. Constantine was succeeded by his brother Hugh (Aed or Aodh), who was defeated and slain by Cyric (St Cyr), commonly and uneuphoniously called Grig. What Cyric had to do with the succession is not too clear. As Tanist, Donald, son of Constantine, son of Kenneth MacAlpine, should have succeeded. By old Pictish law the successor should have been Eocha, son of Kenneth's daughter, who married the Brython king of Strathclyde. Both Eocha and Donald were young, and Cyric either became king *de facto*, as tutor of Eocha, the claimant under old Pictish law, or he voluntarily associated Eocha with him in the government of the southern part of the realm. Cyric, in Mr Skene's view, was of British or Brython birth, St Cyr, his patron, having several churches in Wales, and at least one in Devonshire. Mr Robertson, on the other hand, regards this intrusion of Cyric as an example of the standing rivalry between Northern Picts (Cyric) and Southern Picts (Aodh). This rivalry lasted for centuries, and even when a half-English dynasty held the throne—descendants of St Margaret and Malcolm Canmore —there was usually a Northern Pretender to raise his standard.

Cyric, in any case, reigned from 878 to 896. He is said to have freed the Scottish Church from Pictish servitudes, whatever this may exactly mean (probably release of Church lands from the services imposed on lay lands); he was also a benefactor of St Andrews, so that it soon became, in place of Dunkeld, the chief seat of Scottish ecclesiastical power. Eocha died in 889, and his place was taken, according to the law of Tanistry, by Donald, son of Constantine, son of Kenneth MacAlpine. Henceforth the kings are "Kings of Alban," with Scone for royal seat.

The Northmen were defeated on the Tay, and Cyric, in 896, slept with his fathers. Donald died, probably was "jugulated" at Forres in 900; the North was ever unlucky to kings of the Southern branch, but the place of Donald's fate is uncertain. Next came in the son of Aodh, son of Kenneth MacAlpine, named Constantine II.

By a kind of miracle, in that age, he survived to within seven years of his Jubilee, reigning till 943 (942?). He began by defeating the Vikings, and, about 906, he and Cellach (Fothadh?), Bishop of St Andrews, vowed, at Scone, to protect the laws and liberties of the Church. Cellach here appears as "Bishop of Alban," implying primacy over all the realm.

Mr Skene has shown, with great learning and ingenuity, how, as Patron Saint of Scotland, St Andrew succeeded his brother St Peter, whom the Pictish king, Nectan (710), had appointed to protect the kingdom. The relics (part of an arm, and other bones) of St Andrew were probably brought to Hexham by Bishop Acca (709-731). Acca, being expelled from England, went and joined the Picts. St Andrews (Kilrymont, "cell of the king's cliff") was founded in 731-761, and the relics of St Andrew, which give the name to the city, probably came there from, or through, Acca, the expelled Bishop of Hexham, who would carry those sacred objects with him, when he fled from Hexham into Pictland. The relics were the making of a town for which, apart from its possession of these treasures, and at an early period of a saint in a cave, with the consequent gatherings of holy men, there seems then no obvious *raison d'être*.[8]

Constantine's brother, Donald, now (908) became king of the Brythons of Strathclyde. War still occurred, on occasion, between the two countries. The affairs of the Northmen, and of England, are presently mixed with Scottish history in such a way as to furnish a theme for quarrel to historians, and perhaps the earliest genuine occasion for dispute about the later English claims to supremacy in Scotland. The problem appears thus: In 918 Regnwald, a Viking leader sailing from Wexford, seized the north-east of England. The Northumbrian chiefs (English) fled for aid to Constantine of Scotland, whose forces accompanied theirs to a great battle near Corbridge on Tyne. The Northmen were victorious, though the Scots seem to have suffered but slightly, and the conquering Regnwald did not occupy new territory north of Tyne. Regnwald died in 921, being succeeded, in what was now Danish Northumbria, by his brother Sitric, to whose son Constantine later gave his daughter.

Now comes a point of supreme importance. While we have been neglecting the affairs of the English domain between Forth and Humber, the English kingdom of Wessex had swallowed Deira,

and at this date Eadward the elder, successor of Alfred the Great, was "immediate sovereign of all England south of Humber" (Freeman).[9] Now appears in the English Chronicle (F.) the statement, "924. In this year was Eadward king chosen to father and to lord of the Scots king [Constantine II.] and of the Scots, and of Regnold [Regnwald] king, and of all Northumbrians, and eke of the Strath Clyde Wealas king, and of all Strath Clyde Wealas." This is the famous *Commendation* of Scotland to England, almost the first step in a quarrel for English supremacy lasting nearly seven centuries. Mr Freeman puts the matter thus, "From this time to the fourteenth century" (*Bannockburn*), "the Vassalage of Scotland was an essential part of the public law of the Isle of Britain." By this alleged act of 924, Scotland, we think, was exactly as much the English king's domain as England, by John's Commendation (1213), was the Pope's domain,—which does not imply very much. On this act of 924 rested, ultimately, the claims of Edward I. in 1291, and even the pretensions of Henry VIII. down to 1547.

But was there really any "Commendation" of Scotland to England in 924? Did such a thing actually occur? It is recorded "in the honest English of the Winchester Chronicle," says Mr Freeman; *not* in a ballad, or a mere Scandinavian saga, or a Latin charter, or, oddly enough, in the Chronicle of Picts and Scots. But the honest English chronicler makes Regnwald of Northumbria "commend" himself and his kingdom. Now unluckily, in 924, Regnwald, the Northman king of Danish Northumbria, had already "gone to Odin." He, then, could not possibly take Eadward "to lord" in 924, and if the "honest English Chronicle" is wrong about him, it need not be right about the submission of Constantine and of Scotland. The words of the Winchester Chronicle are, "He [Eadward] went thence into Peac-lond to Badecan-well [Bakewell in Derbyshire], and commanded a *burh* to be built nigh thereunto, and manned. And then chose him to father and lord the king of Scots, and the whole nation of the Scots, and Ragnald [Regnwald], and Eadulf's son, and all those who dwell in Northumbria, as well English as Danes and Northmen, and others. And also the king of the Strath Clyde Wealh, and all the Strath Clyde Wealh." To this statement of the Chronicler, Mr Robertson replies that such submissions were always made on the Marches, whereas Bakewell is nowhere near the Marches.[10] Mr Freeman says, in answer, that

the Chronicle does not aver that the submission was made at Bakewell. The reader may choose his own interpretation of the English text which has been cited.

Mr Robertson next argues that the Northumbrian Northmen did not, in fact, submit to England at all, before the reign of Eadward's son, Æthelstan. Mr Freeman answers that Æthelstan became *king* of Northumbria, whereas Edward, though he received the Commendation, was only overlord. Mr Robertson's authority for Regnwald's death three years before he submitted to Edward (as the Chronicle avers) "is the Irish Annals, at this period most accurate and trustworthy authorities in all connected with the Hy Ivar family," —Regnwald's House. Mr Freeman replies that the Regnwald whom the Irish Annals kill was, probably, in a familiar phrase, "another person of the same name." Finally, even if wrong about Regnwald, the English Chronicle is right about Scotland. There the quarrel stands.[11] Mr Skene, it may be added, points out, as Mr Freeman also notes, that Florence of Worcester (*ob.* 1118) saw and corrected the anachronism of the Chronicle, as to Regnwald's doing submission years after his decease,[12] and therefore Florence dates the Commendation in 921, before Regnwald died. Mr Skene, however, does not think Mr Freeman victorious over Mr Robertson's objections. True or false, the record of this so-called Commendation of Scotland, in the English Chronicle, had most important consequences, as one base of the claims (mainly mythical) of Edward I.

Eadward died and was succeeded by his son, Æthelstan. Again do historians, English and Scottish, differ as to what now occurred in regard to the relations between Scotland and England. Mr Freeman says, "In Æthelstan's second year [926], all the vassal princes, Welsh and Scottish, and a solitary Northumbrian chief who still retained some sort of dependent royalty, renewed their homage. It is expressly mentioned that they renounced all 'idolatry.'" Now the Chronicle asserts the abandonment of idolatry —by four Christian princes, including the Scottish king![13]

The son of Sitric, the brother of Regnwald, Olaf, married a daughter of Constantine, and it seems probable that this Dano-Scottish connection aroused the suspicions of Æthelstan. He marched northward and ravaged Fortrenn, the Scottish province between Forth and Tay, while his fleet vexed the coasts as far as Caithness. Three years later (937) the Northmen failed in a supreme effort to recover Northumbria from Æthelstan by aid of

Scotland, and of the Brythons of Strathclyde. Mr Freeman rebukes the Scottish Christians who "did not scruple to league themselves with the heathen barbarians." But the saga of Egil Skalagrim represents Æthelstan himself as allied with other heathen barbarians, wandering vikings, including the unawakened Egil himself. The saga, of course, insists on the prowess of its heroes; the famous old English ballad of the battle of Brunanburh gives the palm to the English. The Brito-Scoto-Northman combination was certainly defeated after very severe fighting. The scene may have been Bourne in Lincolnshire (Ramsay). Constantine lost a son, and Æthelstan mourned two brothers. The Northmen from Ireland fled home in their ships, and Constantine withdrew beyond the Forth (937).

Northumbrian affairs continued to be perturbed by Northmen till 954, when the land was settled under an earl holding of England. But, ten or eleven years earlier (943), Constantine had withdrawn from the world, and become abbot in the monastery of St Andrews. Says St Berchan—

> "God did him call
> To the monastery on the brink of the waves,
> In the house of the apostle he came to death;
> Undefiled was the pilgrim." [14]

This retreat of a crowned king to a cell in St Andrews perhaps took place shortly after the appearance of the much-disputed *Cele De* or Culdees in Scotland. These Culdees were "originally a college of secular clergy who lived together," and had a common table, ministering to the services of the great church of the place. We shall hear later of their supersession by Augustinian canons. Their rule, as time went on, became far from strict, and Constantine was probably no priest but a *lay* prior at St Andrews.

Among the events of his long reign, the establishment of his brother on the throne of the Britons of Strathclyde was not the least important, as Scotland was to assimilate the northern part, at least, of that realm under Malcolm II. Yet more important are the claims of English overlordship, later founded (where they do not rest on mere mythology) on certain alleged events of the reign of Constantine II. We have been content to summarise the opinions on this quarrelsome topic of those two champions, Mr Freeman and Mr Robertson.

Constantine was succeeded by Malcolm I., son of Donald II.

In his reign we again find a bone of contention between modern historians, Scottish and English. The obscure history of this period is always read with an eye to the later claims of Edward I., and the Scottish reply. Mr Freeman states his case thus: "The kingdom of Strath Clyde" (Brython) "was conquered and abolished" (by Eadmund, brother and successor of Æthelstan), "and the greater part of it, Cumberland, Galloway, and other districts, were granted by Eadmund to Malcolm on the usual tenure of faithful service in war. This principality remained for a long time the appanage of the heirs-apparent of the Scottish crown. . . . It is probably the earliest instance [945] in Britain of a fief in the strictest sense, as opposed to a case of commendation."[15] Now the exact words of the English Chronicle are that Eadmund handed over Cumberland to Malcolm, on the ground that the Scottish king should be his *midwyrhta*, "fellow-worker," by sea and land. The arrangement was renewed under Eadmund's successor, Eadred. This covenant, however, is represented by twelfth century Anglo-Norman writers thus—"fellow-worker" is rendered *fidelis* (one who gives fealty), and, as Mr Robertson urges, what was really in origin but a recompense for alliance against the Northmen, during Malcolm's life, came later to be regarded as the bestowal of a *fief* on a vassal, the Scottish king, *and his successors*. Now Simeon of Durham, long after the event (1060-1130), writes that, in 1092, Malcolm III. held Cumberland, "not legally, but by conquest." How could that be, if Malcolm (on Mr Freeman's theory) only succeeded regularly to an old fief held from England?

Rather unluckily for Scotland, the English view of Cumberland (for more can scarcely be meant) as a fief granted by England to the Scottish kings is nowhere so explicitly stated as long afterwards, in the fourteenth century, by Fordun, the patriotic Scottish historian. His object was to make out that Scottish homage, when paid at all to England, was paid for this fief, Cumberland, which was held by the Scottish heir-apparent, or Tanist (successor), rather than by the actual King of Scotland. Thus Fordun, unawares, in attempting to serve his own argument, chimes in with Mr Freeman. Really, had Fordun known it, his patriotic argument would have been better served by regarding Cumberland as a gift for alliance only, during the lifetime of Malcolm I. This is Mr Robertson's view. "The grant lapsed upon the death of Malcolm, and was never renewed." He even supposes that, when Malcolm

died (954), his successor, Indulf, invaded Lothiar, and took Edinburgh, just because the grant of Cumberland was *not* renewed by England.[16]

It would appear that of the kingdom of Strathclyde, originally Brython, and originally stretching from Dumbarton to the Derwent, the southern portion, what we now call Cumberland, was by this time roughly Anglicised. A few Brythons may, however, have held their own in the mountain fastnesses. The northern part, the actual Strathclyde, was under the kinsman of the Scottish kings; but the southern part, modern Cumberland, was probably but ill subdued by England,—was, practically, anarchic: no man's land.[17] In this condition it would be a *point d'appui* for Northmen Vikings from Ireland, and to keep them out would be Eadmund's motive for handing Cumberland over to Malcolm as his ally (945). In fact, on this showing, the grant of Cumberland was an English sop to Malcolm, to keep him from the allurements of a Viking alliance. This is the best statement of the Scottish case as against the view of post-Conquest Anglo-Norman writers, who render what we translate "ally" by *fidelis*, or vassal, thus making that a hereditary fief, implying vassalage, which was really a temporary "consideration." Mr Skene, however, does not take this patriotic view, but makes little question that Malcolm held Cumberland "by fealty to England."[18]

On Eadmund's death the arrangement regarding Cumberland was, we learn, continued between Malcolm and Eadred, the English king. But in 949, the Northman son-in-law of the recluse Constantine made a last effort to recover Northumbria from Eadred for the Vikings. The undefiled pilgrim, Constantine, heard the echoes of war above the sound of the wash of the waves on the rocks of St Andrews. He forgot the obligations to Eadred, he changed the abbot's frock for the byrnie, crossed the Border, and ravaged England to the Tees.[19] Constantine died in 952. Olaf was expelled from Northumbria, and established a Norse dominion of thirty years' duration over Ireland.[20] Malcolm I., Constantine's son, died in 954, slain near Forres, probably in the secular struggle of Northern and Southern Picts. He was succeeded by Indulf, son of Constantine II. (954-962), who appears not to have been continued in the sway of Cumberland, but to have recouped himself by seizing the English stronghold of Edinburgh.[21] Indulf fell in fight against the Vikings, or, as others say, in peace, at St Andrews.[22]

The Scottish crown was ever a thing of contest between the senior branch, that of Constantine I., and the junior, that of Aodh, both sons of Kenneth MacAlpine. Duff, son of Malcolm I., had to fight Colin, son of Indulf; he was slain at Forres, unless that is a late fiction (967). Colin died a violent death of one kind or another in 971, and Kenneth II., son of Malcolm I., succeeded, whether peacefully or not is uncertain. He ravaged Cumberland, and the north of Scotland was perturbed by wars of the Northmen, during which Kenneth seized the Mormaor of Angus, and brought that province directly under his own hand, putting to death the native prince. The feud thus provoked ended, as we shall see, in his own assassination in 995, at Fettercairn.

Kenneth supplies the usual *casus belli* between English and Scottish historians. He was contemporary with Eadgar of England, and the dispute rages as to whether Kenneth was Eadgar's vassal. Mr Freeman writes, "There seems no reason to doubt the historic truth of the tale of that famous pageant in which the Emperor of Britain (Eadgar) was rowed on the Dee by eight vassal kings." Now, the English Chronicle says that Eadgar met *six* kings at Chester on the Dee, where they renewed their homage to him. Some two hundred years later, Florence of Worcester raises the *six* kings to *eight*, among whom he names Kenneth of Scotland, Malcolm of Cumberland, Maccus of the Isles, and five Welsh princes. Florence first tells the story of the royal eight-oar.[23]

This kind of late evidence, Florence's testimony, would not be reckoned very good in most sorts of researches. Mr Robertson, arguing for Scotland, remarks that Florence was ill-advised in *naming* the kings. There could have been no "King of the Cumbrians." The King of Strathclyde, at that date, was not Malcolm, but Donald, son of Eogan. Of the Welsh princes named, one was dead, and another is unknown.[24]

Another difficulty arises. Scotland certainly did, at some time, in some way, get hold of Lothian, an English territory. How was this effected? Mr Freeman asks. "Was the cession of that part of Northumbria" (Lothian) "a grant from Eadgar to his faithful vassal Kenneth"—who stroked the apocryphal eight on the Dee? "Or was the district wrung by Malcolm" (1005-34) "from the fears of Eadwulf Cutel, or won by force of arms after the battle of Carham in 1018?"[25]

Now, while Lothian certainly passed from English to Scottish

hands, about this period, no writer who lived at or near the time says anything about the transference. Mr Skene arranges the English statements thus—"Simeon of Durham" (or rather whoever wrote the tract De Northynbrorum Comitibus, attributed to Simeon),[26] makes Eadgar appoint Oslac and Eadulf earls over Northumbria. They, with the bishop of Durham, bring Kenneth to Eadgar, Kenneth does homage, Eadgar grants him Lothian, and sends him home with honour. Nearly a century later John of Wallingford, Abbot of St Albans, tells how Kenneth came to London to see Eadgar, much as the Queen of Sheba came to Solomon, with the Earls Oslac and Eadulf, and the Bishop of Durham. Kenneth pleasantly suggested to Eadgar that Lothian was a hereditary possession of Scottish kings, and should be his. Eadgar referred the question to his Council: what follows is mutilated in the work of John of Wallingford, but we gather that the Council thought Lothian remote and unprofitable, that Kenneth did homage for it, that he promised to leave to the Lothian people (English, of course) their old customs, language, and name (English), "and thus was settled the old dispute about Lothian."

Now a writer of about 1090, if not Simeon of Durham, makes Lothian a cession to the Scots through the cowardice of the Earl of Northumbria, Eadulf Cudel,[27] as late as the days of Canute, and this pusillanimous Eadulf of fact has been turned by the other Simeon, and by John of Wallingford, into the mythical Eadulf who leads Kenneth to do homage for Lothian to Eadgar.[28] The truth is, that Kenneth I., Constantine, Cyric, Indulf, and Kenneth II., had all often invaded Northumbria, of which Lothian was the northern part. But the story of a cession of Lothian to Kenneth II., as a fief, is a late Anglo-Norman Chronicle-fable, invented to disguise what really occurred. Malcolm, in Canute's reign, *took* Lothian from Eadulf, and the tale of Kenneth's homage for Lothian is a myth devised to conceal the facts. Thus obscure is that supremely important event—the addition of Lothian with its English blood to the Celtic kingdom of Scotland.

The North of Scotland, in Kenneth's reign, was harried by Northmen, who, though at war among themselves, held most of the land beyond Spey. Kenneth himself, in 995, was assassinated, it is said, at Fettercairn in Kincardineshire. He had been asserting the much-disputed Royal power in that region, and late credulous

writers, like Fordun and Boece, tell a curious tale of a murder-machine, and a woman's revenge for the slain Mormaor of Angus.

The truth is, that there ought to be *two* histories of Scotland: one legendary and picturesque; one doggedly clinging to contemporary evidence. The former would be as interesting as Herodotus, for, down to 1750, the narrators had a marvellous art of embroidering the dull tissue of facts with the golden threads of romance, and the rubies and sapphires of fairy-land. This legendary Scottish history is, in one sense, the true history, for it is true to the ideal, and it is the only version that men remember. But our path is marked out, and it shuns the charmed woods and enchanted castles of Fordun, Boece, Buchanan, Blind Harry, Hume of Godscroft, Lindsay of Pitscottie, and the other authors who wrote delightfully concerning what should have been, but was not. And surely the image of brass, with the golden apple, which (in the old fairy-tale histories) slew Kenneth II. at Fettercairn, never was, except in fairy-tale!

Kenneth was succeeded by Colin's son, Constantine III., who, in two years, died while resisting Kenneth Macduff, Kenneth III., who, again, fell in 1005, probably in a war of succession. The death of Constantine III. extinguishes the line of the House of MacAodh MacKenneth, the younger branch, through Hugh or Aodh, of the dynasty. The elder branch, the House of Constantine MacKenneth, now split into the usual Celtic division, the factions being headed by the grandsons of Malcolm I. (943-954). Kenneth III. was succeeded by his cousin Malcolm II. (1005-1034). His earliest exploit, an invasion of Northumbria, ended in a defeat before Durham (1006). Soon after the Viking, Jarl Sigurd, defeated the Mormaor of Moray. Malcolm then married his own daughter to Sigurd. The Jarl died, and Malcolm made his son (Malcolm's grandson) Earl of Sutherland. Some years followed unmarked by great events; but, in 1018, Malcolm again invaded Northumbria, and won a great battle at Carham on Tweed. It was *now* that Eadulf Cudel really ceded Lothian (the region north of Tweed) to Malcolm (1018). The English speech and laws persisted there, the germs of the Scotland of history. The speech and laws of England, thus introduced into the kingdom of Scotland, leavened the whole lump, and the process of de-Celtisation began.

It is an important circumstance that the king of the Strathclyde Brythons fought by Malcolm's side at Carham. This prince died

in the following year, and the next *rex Cumbrorum* we hear of is Duncan, grandson of the victor of Carham, who later became King of Alban. But Eadulf Cudel, who had yielded Lothian to Malcolm, was only the "man" of King Canute—himself a very unyielding character. In 1031 Canute marched north, and Malcolm met him somewhere. The English Chronicle records that Malcolm became "the man of Canute" ("for all he had," says Mr Freeman), "but he this held for but a little time." Another version adds that with Malcolm came in two other kings—Maelbeth and Jehmarc. Of "Maelbaethe" there is much more to tell; but at the time when the honest Chronicle calls him a king, he was not yet even Mormaor of Moray![29]

Malcolm was murdered in Angus, at Glamis, in 1034: he is accused of having procured the death of his natural successor (on the Pictish system), thereby leaving the crown to Duncan, his own grandson by his eldest daughter, Bethoc, wife of Crinan of the House of Athol, lay Abbot of Dunkeld. This accession of Duncan was the first example of inheritance of the Scottish throne in the direct line. The heir-apparent, whom Malcolm is accused of putting out of the way, was an unnamed son of Boedhe, and grandson of Kenneth III.[30] The crime of destroying Boedhe's son left a curse behind it. Boedhe had, in addition to the slain son, a daughter, Gruoch, who married into the family of the Mormaors of Murray, carrying her claims with her. Her husband, the Mormaor of Moray, was slain in a family quarrel, but left a son by Gruoch, named Lulach, an infant, who thus represented the line of Kenneth Macduff. Gruoch next married Macbeth (Maelbeth), who had succeeded to the Mormaorship of Moray. As guardian and representative of his stepson, Lulach, Macbeth stood for the child's claims on the Scottish crown, now held by Duncan, son of Malcolm's daughter, Bethoc, by the head of the Athol family, Crinan, lay Abbot of Dunkeld. Thus the gracious Duncan, in the eyes of strict Pictish legitimists, was really a usurper. On the hitherto prevalent system of alternation, Lulach was the rightful king. Nothing had been gained by Malcolm's crime. There was merely a new division in the Royal line, Duncan representing the House of Athol, Lulach (and Macbeth) the House of Moray.

In these dynastic circumstances Duncan came into collision with the Northmen, and attempted to displace his cousin, Earl of Caithness and Sutherland, Thorfin, by appointing Madach in his place.

Madach failed in battle with the Northmen just about the moment when Duncan himself was being defeated in a raid into Northumbria. Attempting to help Madach in the North, Duncan was driven by the Northmen into Moray, while Madach was cut off and slain. His Viking foes then marched against Duncan, and defeated him. Soon afterwards Duncan was assassinated "by his general," Macbeth, Mormaor of Moray, and representative of Lulach, at Bothgowanan, "the Smith's Bothy."[31] All this, of course, is very unlike the immortal narrative of Macbeth and Duncan known to the world; known because Shakespeare adapted from Hollinshed the romance which Hollinshed borrowed from Boece. Duncan was really no aged sire, but a young man, "immaturæ ætatis."[32]

Macbeth could not expect always to avoid the feud of the children of Duncan, who were very young at the time of their father's murder. They represented the House of Athol; Macbeth, for Lulach, represented the House of Moray. Like Bruce, Macbeth, though an assassin, when once crowned was an excellent king, liberal to the poor, and perhaps went as a pilgrim to Rome. But "a crown is no light weight, especially when it is not one's own," as a son of Louis Philippe is said to have remarked to his father. Macbeth was to learn this truth by experience.

In 1052 some Norman favourites of Edward the Confessor were driven out of England and were harboured at Macbeth's Court. For this reason or another, in 1054, Siward, Earl of Northumbria, attacked Macbeth, perhaps in the interests of Duncan's son Malcolm, called Canmore. On July 27, 1054, Siward inflicted a defeat on Macbeth. But Macbeth was not dethroned by Siward, he reigned for four years longer, and the question arises, Was Siward's attack directed by Edward the Confessor in the interests of the son of Duncan? Mr Robertson regards this as a mere contention of "Anglo-Norman Chroniclers," to further "the subsequent feudal claims of the English kings." The contemporary Irish annalist assigns no such political cause to Siward's expedition, nor do the two MSS. of the English Chronicle, which describe the adventure of Siward. Mr Freeman rests on the later authority of Florence of Worcester, believes that Siward acted under orders of the English king, and rejects Mr Robertson's notion that Siward's march was directed against Macbeth to punish his reception of fugitive Normans. Their presence in the battle, on Macbeth's side, also rests only on Florence, whose authority is good, Mr Freeman thinks,

for the Confessor's interference in Scottish dynastic affairs, if good at all.

It seems probable that Florence's tale about the Confessor sending Siward to restore Malcolm and put down Macbeth (thus asserting English rights over the Scottish crown) is a mere myth. Forty years later William Rufus sent the Atheling to place Duncan on the throne of Donald Ban. Florence threw this historical fact back on the past thus—

The Confessor.	)	Siward.	)
Rufus.	)	The Atheling.	)
Macbeth.	)	Malcolm.	)
Donald Ban.	)	Duncan.	)

The process is like that which, as we saw, thrusts back Eadulf from the reign of Malcolm II. to the reign of Kenneth II., and, in place of making Eadulf cede Lothian to Malcolm II., makes him lead Kenneth II. to do homage for it between the hands of Eadgar. The Anglo-Norman writers are rich in the mythopœic faculty, which serves the purposes of English claims over Scotland.

Whatever were Siward's reasons for attacking Macbeth, he certainly did not dethrone him, nor set the Scottish crown on the head of Malcolm. The usurper reigned three years after Siward's invasion, and then Malcolm, how supported we know not, defeated Macbeth, who fell at Lumphanan in Aberdeenshire. Lulach, his stepson, the representative of the House of Moray, feebly continued the struggle; but he died obscurely within a few months, leaving troublesome issue, and Malcolm was recognised as king. With his accession history struggles out of obscurity into the light, though not yet into perfect day.

Here we may close a chapter of difficult and debatable matter. We found Scotland a battle-field of Northmen, Brythons, Picts, Scots, and English. We saw a nominally Scottish, really a Scoto-Pictish dynasty, that of Kenneth MacAlpine, established at Scone. This dynasty held a large cantle of country (Scotia or Alban), from Spey to Forth; it had claims on northern provinces; it enjoyed rights of a mixed sort over Lothian and Cumbria, while Caithness and the west coast were mainly dominated by Scandinavians. The succession to the throne was, we have seen, a cause of intestine feuds, when Scottish, Pictish, or modern ideas of title were asserted

by various claimants. Meanwhile, the precise nature of English rights over the King of Scotia for Cumbria, Lothian, and "all that he had," was matter of dispute. But the Norman Conquest of England is drawing near, and with it the approach of the English tongue, English churchmanship, and fully developed feudalism in Scotland.

Throughout this chapter the difficulties of the theme have made it seem desirable to avoid picturesque details. The following pages offer a sketch of the condition of life in this long and confused term of years.

DYNASTY OF KENNETH MACALPINE.

KENNETH MACALPINE (843-859).

DONALD (859-863), brother of Kenneth.
CONSTANTINE (863-877), son of Kenneth.
AODH (877-878), brother of Constantine.
(CYRIC) (878-896). EOCHA (878-889), son of Kenneth's daughter, and of Cu of Strathclyde.

House of Constantine—
DONALD II. (889-900), son of Constantine.

House of Aodh—
CONSTANTINE II. (900-943), son of Aodh.

House of Constantine—
MALCOLM I. (943-954), son of Donald II.

House of Aodh—
INDULF (954-962), son of Constantine II.

House of Constantine—
DUFF (962-967), son of Malcolm I.

House of Aodh—
COLIN (967-971), son of Indulf.

House of Constantine—
KENNETH II. (971-995), son of Malcolm I.

House of Aodh—
CONSTANTINE III. (995-997), son of Colin (end of House of Aodh).

House of Constantine—
KENNETH III. (997-1005).

House of Constantine—
MALCOLM II. (1005-1034).

Uncrowned—

[*Innominato*, son of Boedhe, son of Kenneth III. ; murdered by Malcolm II.]

DUNCAN (1034-1040), son of Bethoc, daughter of Malcolm II., and of Crinan, Abbot of Dunkeld.

Usurper—

MACBETH (1040-1058.) = Gruach, daughter of Boedhe = Gilcomgain.

Lulach, *ob.* 1058.

A Line of Pretenders.

MALCOLM CANMORE, son of Duncan (1058-1093). = St Margaret.

Scottish Line to the Maid of Norway (1286-1290).

NOTES TO CHAPTER III.

[1] Robertson, Scotland under her Early Kings, i. 33.

[2] Fosterage was no more than any other early institution peculiar to the Celts. It only lasted longer in a backward people. Robertson, i. 35, note.

[3] Robertson, i. 36.

[4] Mr Hume Brown speaks of Constantine MacFergus as Constantine I. Mr Robertson gives that title to Constantine MacKenneth (863-877), which makes confusion. Moreover, Constantine MacFergus brought the relics to Dunkeld (Robertson, i. 22), whereas Kenneth MacAlpine did it according to Mr Hume Brown (p. 32). According to Mr Robertson, Kenneth only restored them to a new church at Dunkeld (i. 41), as I understand it.

[5] Tanistry now succeeds the old succession through the female line.

[6] Mr Robertson is followed here ; he relies on the 'Laxdaela Saga' and 'Ulster Annals,' with Landnamaboc, and Chronicle III., T. Innes, Appendix.

[7] The Laxdaela and the Islands Landnamaboc differ, the former saying nothing of Thorstein's death. Skene, i. 326.

[8] Skene, i. 277-279, 296-299 ; ii. 221 *et seq.*

[9] N. C., i. 565-571. Robertson, ii. 394.

[10] Robertson, ii. 394-397.

[11] Robertson, i. 59-69 ; ii. 394-397.

[12] Florence died in 1118. He *may* have followed a more accurate copy of the Chronicle. See O'Conor, Rerum Hibern. Scriptores, iv. 255. Regnald died in 921. For Florence's similar date, cf. Florence (Thorpe), i. 129. For date 924, A.S. Chron., Rolls Series, i. 196. For perplexities, "Symeon of Durham" (R.S. ii. xxvi.)

[13] See Appendix C.

[14] St Berchan's verses are a history in the shape of prophecy after the events. St Berchan, Skene, ii. 327.

[15] Freeman, i. 62, 571-573.

[16] Robertson, i. 72, note, and ii. 399. Fordun, iv. 24.

[17] Robertson, i. 71, 72.

[18] Skene, i. 362. Sir James Ramsay thinks that the talk of a "cession" of Cumbria or Strathclyde to Scotland is "an idle boast of our chroniclers" (i. 297).

[19] Robertson, i. 73, and Note 2. Chron. Sax., *anno* 949. Mr Skene does not appear to believe in the story of the warlike abbot, nor in the St Andrews Culdees at this date.

[20] Till the battle of Tara, 980. Olaf died in Iona.

[21] Pictish Chronicle: "Oppidum Eden vacuatum est ac relictum est Scottis usque ad hodiernum diem."

[22] St Berchan.

[23] Freeman, i. 65. A.S. Chron., i. 225. Date, 972. Florence, i. 142. Date, 973.

[24] Robertson, ii. 387, 388. See Appendix C. [25] Freeman, i. 573.

[26] Simeon, in Rolls edition, ii. 382, 383.

[27] Simeon, Hist. Dun. (Rolls edition), i. 218, and editor's note, i. 215.

[28] Robertson, ii. 392.

[29] Robertson, ii. 400. A.S. Chron., i. 291.

[30] Annals of Ulster, 1033. There are difficulties about his genealogy and parentage. Skene, i. 399. Rer. Hib. Script., iv. 321.

[31] This abstract of the famous tale of the death of young Duncan, at the hands of Macbeth, is pieced together from the Norse account ('Orkneyinga Saga'), the statement of Marianus Scotus, almost a contemporary (born 1028), who dates Duncan's death in 1040, and the Irish annalist, Tighernach. Skene, i. 400-403; Robertson, i. 110-117; Chron. Picts and Scots; Registry of Priory of St Andrews, p. 114.

[32] Here comes in a puzzle of curious rather than constitutional interest. It illustrates the difficulty of using sagas as materials of history, and the dangers, in history, of anthropological speculation. Mr Skene says that the Norse sagas know nothing of *Macbeth*, and, for reasons of their own, disguise *Duncan* under the name of "Karl, or Kali Hundason" ("Son of the Dog," or "Son of Hundi"). Mr Rhys, on the other hand, says that the sagas "know nothing of *Duncan*." The Karl Hundason of the sagas is not Duncan, he holds, but Macbeth, "Beth" meaning "Hound," and Macbeth meaning "Son of the Dog" = "Hundason." The full name was "Mael Macbeth," shortened, now into "Maelbeth," now into "Macbeth." The "Karl" in "Karl Hundason" means *churl*, "a common man," and the Irish *mael* (Mael) means a servant. Literally, it is "a tonsured man," the tonsure being a mark of servitude. But *Beth* is not *Celtic* for a dog; the Celtic word is Cŏn (modern MacCunn, "Dog's Son"). "Beth," it would therefore seem, is non-Celtic and non-Aryan, a Pictish word; and Macbeth, "Dog's Son," indicates a Pictish name, derived from the savage custom of deducing human descent from bestial ancestors, or Totems. Thus Macbeth is a Pictish, non-Aryan, King of Scotia (Rhys, Rhind Lectures, 'Proc. of Soc. of Ant. in Scotland,' ii. 263-351). Mr Robertson, like Mr Skene, identifies Karl Hundason with Duncan (Robertson, ii. 477-479). Mr Skene, not diverging into a doctrine of Picts and Totems, regards Hundason as Duncan's Norse nickname, meaning "Son of Hundi Jarl"—the Hound Earl—that is, Crinan, lay Abbot of Dunkeld! (Skene, i. 401). It seems extremely unlikely that, in 1040, Picts were still Totemists, or had hereditary family names, such as the Northmen rendered "Hundason," derived from Totemism.

CHAPTER IV.

EARLY CULTURE IN SCOTLAND.

HITHERTO we have been sketching the political and ethnological bases on which life in early Scotland rested. We have been occupied with the distribution of races and of territory, with the machinery of government as far as it is exhibited in dynasties and dynastic changes, and in arrangements for securing the succession, while dividing the authority, of ruling houses. The revolution from paganism to Christianity has also been described, with the peculiar monastic and ritual forms which the nascent Celtic Church evolved, or perhaps retained from an earlier model.

More interesting questions to most modern readers are concerned with the mode of daily life as it was lived by our predecessors, English, Celtic, or Scandinavian, in the island, between the departure of the Romans and the Norman Conquest. In so long an epoch, among three or four distinct races, there were, of course, many changes, and on several points our information is inevitably vague. Celtic annalists, who summed up the events of a year in three lines, noting comets, eclipses, battles, and murders of kings, had no room for social sketches. Knowledge must therefore be sought from various sources—from the etymology of place-names, from remains of art, from old laws; and we are often obliged to rely on the shadowy evidence of analogy. Our information also comes in part from the evidence of material objects found in the soil; in part from hints and anecdotes among the miracles of the lives of early saints. Again, while the written literature of early Scotland is so scanty, that of Ireland is copious, and we may fairly suppose that the settlers of the Dalriad kingdom were as like their Irish kindred in laws and manners as the first colonists of Ionia were like the Achæans of Greece, or as the pilgrims of the Mayflower were like the Puritans whom they left behind in England. In the same way, whatever

we learn from saintly legend, or epic narrative, or law, about the Northumbrian English of 600-1000 must hold good more or less for the English of the Northumbria north of Tweed. The Northmen, as we saw, between 800 and 1050 occupied large portions of Scotland. Though they were the most military race of the period, they were not invariably successful in their wars against their occasional allies, the Scottish subjects of the Kenneths and Constantines. The Picts of the kingdom must, therefore, have been not much less well equipped for battle than the Northmen. The Vikings would probably set the fashion, as it were, in arms, houses, and dress, for the upper classes of Scotland; and about the mode of life of the Vikings we have abundant information in the sagas and in sepulchres. Macbeth and Duncan, we may be sure, no more dressed in plaid and philabeg than in the perruques, and laced coats, and knee-breeches which adorned them on the stage of Garrick. In war they would wear helms and byrnies of mail, shield, spear, axe, and short sword; in peace, the mantle with its huge brooch, the kirtle, and the golden armlet. Analogy, then, provides us with a certain amount of information concerning social life, even where exact evidence is wanting.

The earliest form of Scottish-Brython life in Scotland in the historical period (if it can be called historical) after the departure of the Romans and during the English Conquest of the South may be guessed at from the remains found in *crannoges*, or lake-dwellings,[1] and other obscure places of refuge. The crannoges were constructed, obviously for defensive purposes, in these small *lochans*, with deep weedy margins and muddy bottoms, in which the modern angler is apt to have disagreeable adventures. All around in that far-off age lay forests of giant oaks where to-day is pasturage, or heather, or even where the plough in drained land turns up the mortised beams, the basis of the ancient lake-fortress. Crannoges occur chiefly in Ayrshire, Aberdeenshire, Argyll, Fife, Galloway, Moray, Perthshire, Wigtownshire, and less frequently elsewhere. It appears that, where the bottom of the loch was rocky, islands of stone were piled up, probably crowned with stone defences, but this was doubtless a later development. Though future discoveries may alter the opinion, it certainly seems at present as if the Celtic parts of early Scotland were the more strongly marked by crannoges, and they are most common in the Scottish part of the Brython kingdom of Strathclyde.

The method of construction shows mechanical skill beyond that of savages. The problem was to build a solid structure on the shivering bottom of a boggy loch. For this purpose a basis of branches and brushwood was laid down, and above it a circular raft of trunks of trees. Above this again were masses of logs and layers of stones. Holes were made in the logs of this surface, into which upright piles of oak were driven, while at various levels mortised beams of oak were stretched between upright pile and pile. Above the water-line, when the substratum had risen so high, was laid a pavement of oak-beams, and mortised beams were clamped across the emerging tops of the uprights. The margin was caused to slope away by an arrangement of beams and stones. Then probably all was turfed over, and a palisade or fence surrounded the artificial island. An ingenious gangway of wood, "probably submerged," stretched to the shore.[2] The gangways in some cases are still permanently fixed, and, says Dr Munro, "we may fearlessly challenge modern science to produce better results under these, or indeed any, circumstances."

To the dwellings built on these artificial isles we may suppose the partially Romanised Celts to have fled from English or other invaders after the withdrawal of the Romans. If they were accustomed to "baths and porticoes and an elegant conviviality," the change to a damp islet in a swampy lake, begirt with oak-woods, must have been deplorable. That oak-forests were then vast, where now a tree is a rarity, is proved both by remains in the soil and by local names indicating vanished woodlands. But this silvan character had passed away in the later centuries, as is proved by entries in early Melrose charters, where privileges of wood-cutting are jealously guarded.[3]

The changes in Scottish soil, and, consequently, in Scottish life, since these remote ages, are well shown at Buston, between Stewarton and Kilmaurs. When Jan Blaeu produced his Atlas (1667, Dedication 1663), there was a loch at Buston. In living memory the loch had vanished, but there was a bog where it had been. Fifty years ago, a hillock called the Swan Knowe, from its congregation of wild swans, stood up in the midst of the bog. Thirteen cart-loads of mortised timber were removed, on one occasion, from the Knowe, whither the hereditary instinct of the wild swans called them through the centuries. Thus the Knowe was clearly an archaic structure, but local scepticism "minded the bigging o't," as a hut

erected by an old Earl of Eglinton for purposes of wild-duck shooting. Even local scepticism, however, yielded to the evidence of excavation, and the discovery of a canoe, a "dug-out" scooped from the trunk of an oak, but excellently fitted with ribs and planking. There were relics both of the stone and iron periods, finger-rings of gold, and a forged English coin of the sixth or seventh century. A large quartz crystal had probably been used, as by the Apaches, Peruvians, Malagassies, and Australians, for purposes of divination.[4]

Thus what is now fertile land was, when Columba came to Scotland, a black lochan, fringed with water-lily and water-weed, and begirt by the tangled deeps of an oak-forest, the whole secluding and sheltering a home of men.

As to the culture of the crannoge dwellers, research yields fragments of the red Samian ware of Rome; bronze dishes, one inscribed with Roman letters, and adorned with a human head of Roman work; beads, not unlike the Aggrey beads found in the soil of Ashanti; bronze flint and iron weapons; a "cup and ring" marked stone; objects of bone, decorated in the style of spiral ornament which is prehistoric in essence; and quantities of remains of local Celtic handiwork. Dr Munro concludes that the crannoges were the citadels, in south-western Scotland, of Celts left to live as they could, exposed to attacks of the English on the east, the Scots from Ireland, and the Picts from the north. Similar relics of Roman luxury and barbaric handicraft are found in the Victoria Cave in Yorkshire, doubtless once the retreat of a Romano-British community, when the stately villas had gone up in fire before the Flame-bearer, or some similar invader. But probably crannoges were not *first* built in this, but in an earlier era.[5]

The unhappy fugitives, it might be supposed, would live mainly on trout and game, but the bones found prove that, on the mainland, they kept hogs which would batten on the mast and acorns of the forest; they were great amateurs of hazel-nuts; and the number of querns, or rude stone hand-mills for grinding grain, prove that they practised agriculture in the clearings. Such was the existence of Brythons, whose fathers had lolled in *leggias*, and gossiped in baths.[6]

But while small isolated communities of Romanised Celts lived thus, in regions threatened by English, Picts, and Scots, there are traces of defences on a larger scale by a united populace, a people

capable of combined effort for self-preservation. The antiquary who climbs from the right bank of Teviot, just above Branxholme, to Skelfhill, will find a grassy path cutting across the heather where the road makes a long detour. Taking this path, he will reach what looks like the deep green cleft of a burn, where no water is. Topping the hill and crossing the road, he will see various small knolls in a marshy flat below a steep hill. The cleft is the ditch called the Catrail, the knolls are the sites of ancient protecting forts. The Catrail (wherein Sir Walter Scott once had a bad fall from his horse) is traceable from the south-east corner of Peeblesshire, across Tweed near Sunderland Hall, up to the hills beside Ettrick, and so on into Roxburghshire to the Peel Hill on the south side of Liddesdale. The Catrail appears to be the frontier ditch of Strathclyde, which, as we saw, includes the shires of Dumfries and Ayr, great counties for crannoges.[7]

The struggle between Celts and English on the eastern fringe of Strathclyde, in the forest of Ettrick, is not attested merely by material remains, by crannoges and the Catrail. The angler, the farmer, and the grouse-shooter in the Forest are impressed by the singular medley of languages in the place-names. From the lofty table-land of Buccleuch, the eye falls on hills and streams, whose names are of Brython origin (Penchrise); are of English source, such as Ruberslaw, Skelfhill, and White Combe; and Gaelic, as Eildon. Looking down the valley from the Loch of the Lowes (Luce, "pike"), we have the English Crossleugh burn on the right, and the Gaelic Douglas burn and Glengaber burn on the left. The dominant influence, however, in the local names is English. It is not easy, of course, to say how far this mingling of different languages in the place-names of a district implies intermingling of population. When, in some ninety years, the natives of Australia have been extirpated, native place-names will still survive, as Red Indian names also do among the "New Berlinopolisvilles" and "Troys" of the United States. In any case, all through Scotland, place-names tell of races once hostile and now interfused. In the North a name, as Altnahara, "burn of Harold," may yield the Gaelic designation of the settlement of a Northman. The Teutonic "laws," "howes," and "havens" stud the eastern coasts; the English "tuns," "hams," and "ings" attest the English tribal occupation; the sonorous Celtic names speak less of property than of poetical features in the landscape, as Ardnamurchan, "the point of the great sea," Ardtornish, "the cape of the

falling waters," whose white courses seam the perpendicular basaltic cliffs, above the Sound of Mull.

The soil, meanwhile, is marked by the ruined homes of the old inhabitants, from the crumbling shell of the Keep of the Island Lords, at Ardtornish, to the feudal strength of Hermitage in Liddesdale. But these, of course, are much later in date. The remains of the days following the Roman withdrawal are illustrated, as we saw, in Brython Strathclyde and Irish Dalriada, by crannoges.

In the north the stone *broch* is more common, and was useful, no doubt, both in intertribal war and in times of Northman invasion. A typical broch is that of Yarhouse, at the south end of the loch, six miles south of Wick. When examined, by Joseph Anderson (1867), its appearance was that of a conical grassy mound, 200 paces in circumference, and some 20 feet in height. It had been composed of a circular stone wall, 12 feet thick, enclosing an area of 30 feet in diameter. There had been a staircase, lighted by windows. The original floor was a foot deep in ashes mixed with refuse of food. Outside the wall, within an inclosure itself guarded by a ditch, were pens for cattle, and a covered way led to the central fortalice or broch itself.

There were relics of iron, bronze, and pottery, and remains of reindeer; there were combs, combs for weaving, querns, mortars, lamps, beads of glass and stone, and articles of silver and lead were discovered. The people of the brochs were pastoral, agricultural, and addicted to the chase. The architecture is "Celtic," as indicated by the circular form, the dry-built, mortarless, stone walls, and the beehive vaulting.

There exist, also, in a very dilapidated condition, hill forts, either of earth or stone, and the famous "vitrified forts" are simply stone forts which have been exposed to the action of fire. Such a fort remains at Loch na Nuagh, in Arisaig, whence Prince Charles embarked for France. It is not certain when, or for what purpose, if for any, the vitrifaction was produced.

In addition to all these kinds of places of strength there are the mysterious subterranean *earth houses*, found from Berwickshire to Sutherland, and also in Ireland. A long narrow winding gallery is entered by a very low and narrow opening. The chamber is merely a widening of the gallery. The people who used these "hiding beds" had pottery, bronze, lead, and iron. One earth house is close to the graves of its ancient occupants. These structures are prob-

ably of late pagan times, and good bronze work with enamels is found in connection with them. A piece of Roman stone-work with moulding and with bevelled slabs was found in an earth house at Newstead, in Roxburghshire.[8] It is known that the Northmen used subterranean hiding-places of a different construction ('Gisli the Outlaw,' Dasent, p. 72). Some have conjectured that the subterranean fairy-folk of old tales are a memory of earth house people. But fairies seem rather connected with that side of fairydom which is derived from myths of the kingdom of the dead and "the fairy-queen, Proserpina." No signs of Christianity have been found in the earth houses. On the whole, the culture indicated by the remains in most crannoges, brochs, and earth houses is much on a level, and represents roughly the condition of our fathers in the age immediately following the Roman occupation. Theirs was a rude life, and all their dwellings were constructed for purposes of defence or concealment. We find it difficult to suppose that the English conquerors ever skulked in earth houses or crannoges.[9]

Yet another class of defensive works has been alluded to as hill forts, such as those attached to the Catrail; while the "motes," or steep grassy mounds, raise fresh questions. A very fine example of a mote may be seen from the railway near Parton station, in Galloway, and close beside it is the kirk. Precisely the same collocation of mote and kirk is found at St John's Town of Dalry, where, according to the local version of the myth of Hesione, a dragon, of old, coiled his endless spirals about the mound. Another good mote is on the left hand of the railway as a traveller from the south approaches Hawick.

Looking at these motes, the amateur archæologist is very apt to think that they are sepulchral *tumuli* or "howes," where "lie the mighty bones of ancient men, old knights."

A mound above the sea, on the beautiful coast south of Ballantrae, in Ayrshire, especially resembles the howe which the ghost of Elpenor, in the Odyssey, asked Odysseus to raise for him, that his memory might live in the hearts of seafaring men as they sailed past the tomb. But Dr Christison, following Mr Clarke, argues that the motes were "*the* fortresses of England during the Saxon period, while in the tenth century they were *the* castles of France." He then cites a contemporary description of a mote in the eleventh century: "They heap up a mound of earth as high as they are able, and dig round it a broad, open, and deep ditch, and girdle the

whole upper edge of the mound, instead of a wall, with a barrier of wooden planks, stoutly fixed together, with many turrets set around. Within was constructed a house, or rather citadel. . . ."[10] Dr Christison adds, from the Bayeux Tapestry (commemorating the Norman Conquest), a design of a conical mound or mote crowned with a palisade, which contains a citadel. As on all this showing motes were used in France in the tenth and eleventh centuries, and by the Normans, it is not easy to understand why they should be regarded as "Saxon" fortresses, or why their remains should be rare "in the most Saxon parts"[11] of Scotland and common in Celtic Galloway. To these questions Mr Neilson suggests very persuasive answers.[12] The motes, in his opinion, in Scotland are mainly of Norman erection, and they are so common in Galloway, because the Normans who settled there in the reign of David I. and William the Lion found the Galloway Celts such difficult and dangerous neighbours, as indeed we show later. Mr Neilson, again, finds motes where we know that there were Norman settlements, such as "Bruce's Moat" at Annan. The motes are near "the mediæval towers which superseded them, and in a great number of cases they are directly connected with baronies founded by David I." Thus Mr Neilson "limits in effect the possible period of origin to the twelfth and thirteenth centuries." The motes are monuments, then, of the Normanising of Scotland. So understood, those "mounds of mystery" do not belong to the very remote period of which we are here treating. Could we see the motes in their prime, we should behold them crowned with palisades girding a wooden Norman citadel.[13]

As to the hill forts, Dr Christison would attribute the numerous examples in Argyll, Kintyre, and Lorne, with their gradual diminution eastwards, to the industry of the sons of Fergus MacErc, as they fixed their grip on Dalriada (*circ.* 500 A.D.) Forts of a larger kind are observed in the realm of the Northern Picts, from Aberdeen to Fife. Strathclyde, Dumfriesshire, Peeblesshire, and the Upper Ward of Lanark are thickly studded with forts, as are the Border counties, Lothians, Roxburgh, and Berwick. The scanty relics point to the same bare and troubled age, violent and squalid, as that of the crannoges, and both forts and crannoges may be homes of a Celtic harried by an English race.[14]

About the daily life of the heathen English in what is now Scotland, we can know but little. The poem of 'Beowulf,' a christianised

and moralised version of older heroic English songs, is full of the ancient spirit and the ancient beliefs, and may illustrate early English existence in Northumbria. Beowulf slays just such a roaring and ferocious water-beast as Columba found devouring men in the river Ness. He battles with dragons and monsters: the poem shows us a heroic society of warlike and adventurous kings, dwelling in halls, rich in gold, delighted with the songs of harpers—in brief, 'Beowulf' (Christian additions apart) is Homeric, and the civilisation described is like that familiar to us in the Iliad and Odyssey. Christianity did not destroy the delight of the previously heathen English in music and song.

Looking for descriptions of humbler English existence, from the history of Cædmon (680) we learn that he had been a layman till well advanced in years, and had strictly confined himself to prose. When present at supper-parties he used to leave the room when the harp came round to him in his turn, each man who received the harp being obliged to play and accompany himself with his voice. On one such occasion, when the dreaded harp made its round, Cædmon went forth and began to fodder the horses of the company; he then went to bed, and had a vision of one who bade him sing. He professed his inability; but, being again commanded to chant of the beginning of things, he, still in his sleep, composed a hymn, just as Coleridge composed "Kubla Khan." Like Coleridge, too, he remembered the song when he awoke, and, unlike Coleridge, added to the poem which "an uprush of subliminal faculty" had given him in his dream. He thereafter embraced the monastic life, and all his poetry was sacred.[15]

Cædmon is notable in this way: the ancient heathen English life had been just like that of the still heathen Northmen invaders. There is no difference, as far as mode of existence goes, between the warlike aristocratic manners in 'Beowulf' and those in the sagas—nay, Grettir the strong, the famous outlawed Viking, is credited with certain of Beowulf's most typical adventures. When the Northmen come, we find the English of Ruthwell, in Dumfriesshire, carving a song of Cædmon, in northern runes, on the celebrated Cross of Ruthwell, which is still extant, despite the Vandals of the Covenant, who commanded its destruction. Christianity in England north of Tweed, as in the whole realm of Northumbria, would find a people living much in the manner of the Northmen of the sagas. The rich landholders, owners of thralls, would have large houses built of

wood, with cubicles off the hall, and, perhaps, with upper chambers like that of Gunnar of Lithend. Of building in stone there was little or none. Benedict Biscop, about 674, got masons from Gaul, glass-makers, and other artisans, to build his church at Wearmouth "in the Roman fashion."[16] The English word for "to build" was *getimbrian*, "to timber." In the Life of St Kentigern we read that the Britons were equally incapable of masonry (in the Roman fashion), notoriously a "mystery" as well as an art. An early church at Lindisfarne was built "in the Irish way," of wood, thatched, the thatching covering the walls as well as the roof. Sometimes the wooden walls were lined outside, with lead, or even with skins, and probably the architecture of good houses was similar.[17]

At the same time (to desert the early English builders), mortar-built stone edifices in the Roman fashion were beyond the skill of the Celts. We have already seen that they could erect dry-built brochs and earth houses. In the West, at least, they also constructed not only timbered and wattled churches and cells, but dry-built, beehive-shaped churches and cells of stone; the outer fortification, *cashel*, being, in many cases, of stone also, while the *rath* was an outwork of earth, and a ditch, probably with a palisade. These fortifications were of heathen origin; the stone church, where it existed, was of Christian growth. Examples of the stone church or cell, in Celtic Scotland as distinct from Ireland, are rare, and are found on lonely isles, as on an islet in Loch Columcille, in Skye.[18] At Eilean na Naoimh, between Scarba and Mull, is a single rectangular cell, the church, twenty-one feet in length, of undressed mortarless stone, and with a square-headed doorway, with jambs inclining inwards. There are also remains of a double cell of the beehive type. The place may be Hinba, celebrated in Adamnan's Life of Columba. One may conjecture that the difficulty of procuring wood (which had to be ferried to Iona from Lorne) may have put the brethren on the expedient of using stone in Eilean na Naoimh.[19]

But this kind of Celtic stone-work was not what Benedict Biscop and St Wilfrid desired, when they sent to Gaul for masons and glass-workers.

The English wooden hall (Norse *Skali*) was probably more rudely luxurious than anything which Celtic chiefs then enjoyed. The roughness would strike us more than the luxury. With this

relative rudeness in life, there was barbaric art. The goldsmith's craft retained some traces of ancient Etruscan methods, as in Alfred's Jewel. We read in the sagas of golden gem-encrusted hilts of swords, sent by an English to a Northman king. Books were encased in the precious metals. St Cuthbert's pectoral cross, at Durham, is a pretty and simple piece of jeweller's work. There are many complaints of extravagance in dress. The Eyrbiggia Saga gives a curious sketch of a woman's "things," and of the eagerness with which other women asked leave to admire them. Hangings of beds were richly embroidered. Discoveries in Scandinavian graves "testify to the excessive richness of the ornamentation, and the costly nature of the materials of the dress of the period."[20] The Viking voyages were trading as well as piratical enterprises, and, as the Vikings found Scotland worth plundering, we must conclude that dress, weapons, jewellery, and furniture, in some parts of Scotland, were not beneath the level of the possessions of the Northmen.

What these possessions were, is indicated by the contents of Viking graves, whether in Scotland, or the Isles, or in Scandinavia. The "grave-goods" were so rich that these *howes* were often robbed, even in heathen times. The daring robber had to face the fury of the "barrow-dweller," the wonderfully able-bodied ghost of Scandinavian belief, in single combat. This barrow-dweller may have been a creation of fable, circulated to prevent the sacrilege of heathen grave-dwellers, or he may have been an outlaw, living in the tomb. Such stories as that of Grettir's battle with the barrow-wight for the short sword suggest the latter alternative.[21] Swords and brooches, with decoration in high relief, are the most typical relics of such burials. The warrior is laid "in howe," his hell-shoon tightly fastened, with his ship, arms, and horses, chess-men and dice, coat of mail and utensils of bronze, occasionally enamelled. The system of decoration is usually distinguishable from the Celtic, but the two styles have a tendency to influence each other. The gold rings are of thick plated wire, and, unlike most of those of Mycenæ, are *not* signet rings, indicating ignorance of sealed documents.

The objects here described are purely Scandinavian, or Scandinavo-Celtic. But the level of aristocratic prosperity in the English part of what is now Scotland was probably not much, if at all, below that of the Northmen. It has left fewer traces, because Christians do not bury grave-goods. Remote from aristocratic

luxury, of course, was the life of English St Cuthbert (630-687), as a lad keeping his master's flocks on the braes of Leader. There he beheld, as is set forth later in another connection, a vision, and being already pious, and given to prayer, he determined to enter the monastery at Old Melrose. We are told how he rode to the door of the monastery, throwing his horse's reins and his lance to a gillie who stood by. Bosail, too (St Boswell), was at the gate, the famed provost of the monastery, and by Bosail Cuthbert was admitted. He left the monastery at several periods; but, returning, took for a time the office of the holy Bosail in Old Mailros, a place naturally strong, lapped round by a bend of Tweed, and fortified by a wall drawn across the neck of land.

The county people of Roxburghshire were still half heathen, and, in time of pestilence, fell back on enchantments and spells. Cuthbert would walk, or ride, to lonely villages on Tweed, Ail, Ettrick, Yarrow, and Gala,—the people always gladly flocking to hear the words of a preacher. He visited *tuns* "frightful to behold," says Bede, among "the rocky mountains," the *bosses verdâtres* of the Forest.[22] The people are described as very poor, and very barbarous, probably pastoral in their habits. Superstition was so great that Farne was believed to be haunted by demons, before Cuthbert settled on the isle (676). It may have been an old centre of pagan worship, and the elder gods may have been degraded to waste-dwelling demons. We have an odd story of a convert who died, recovered, gave an account of the next world, and prepared himself for it by standing waist-high in the "snaw-broo" of the wintry Tweed.[23]

The difference in temperament between the Celts and the English of early Scotland may be observed at this juncture, in a field usually neglected, the comparative study of miracles. While biographers of saints, and while chroniclers of events, omit most things that we wish to know, they give hundreds of pages to portents and marvels, which, at least, illustrate contemporary opinion. Those of St Columba have been analysed: they fall into the classes of (1) Biblical parallels; (2) fairy tales; (3) visions of angels; (4) stories of telepathy, clairvoyance, and second-sight;[24] (5) mediumistic marvels; (6) normal occurrences regarded as miraculous; (7) miracles of healing. Of these, cases of second-sight, clairvoyance, and premonition are the most numerous. The English Cuthbert is not distinguished for these experiences. He sees an angel. He

is miraculously fed (Biblical imitation). The animals obey him. He predicts the weather. He heals the sick. He gives to water the taste of wine. But only rare cases of telepathy or second-sight are recorded. As a lad, watching his flock at night on Leader braes, and continuing instant in prayer, he sees the darkness divided by a flame, descending angels, and a soul of singular lucidity returning to its celestial home. Cuthbert supposed that a holy bishop, or excellent man of the faithful, was being escorted heavenwards. "After a few days," or "that very morning," he heard of the death of St Aidan.[25] Meteors and summer lightning, and a mind upraised in contemplation, would cover a case in which the death-coincidence is not well authenticated.

We are thus left with but one example of the common Celtic second-sight in the English Cuthbert. Towards the end of his life he was dining with the Royal nun, Ælflede, when the colour of his face altered, and his eyes assumed the air usually observed in the second-sighted (*quasi attonitis contra morem oculis*). His knife fell from his hand, and Ælflede asked "what he saw, and why he dropped his knife?" "I cannot be always eating," he said, with a smile; "you must grant me a truce." But, being pressed, he admitted that he had seen a just soul pass in the hands of angels, from another nunnery of Ælflede. "To-morrow you shall tell me the name." Ælflede sent to inquire, and found that a shepherd of hers had broken his neck in a fall from a tree, "in that very hour" when St Cuthbert dropped his knife. As to evidence for these anecdotes, Bede was a younger contemporary of Cuthbert, whose Life he wrote. Adamnan was only in traditional touch with Columba, though he probably had manuscript materials. Round both saints, the Englishman of Tweedside and the Irishman, had crystallised legends derived from the Gospel. But, as Columba's friends jotted down cases of second-sight on tablets, awaiting the fulfilment, it is clear that supernormal experiences of this kind were common in Celtic, or were regarded as relatively common, and very rare in English life.

Such as Cuthbert's was monastic existence in the English part of modern Scotland. We read of it as simple, beneficent, laborious, but it had another side. Bede complains that the Folkland "is diverted from its proper purpose," the maintenance of "*comites* of secular persons,"—of a military chief's "tail" —under pretence of maintaining monasteries, which are a dis-

grace to their profession.[26] "What is disgraceful to say," cries Bede, "persons who have not the least claim to the monastic character . . . have got so many of the spots into their power, under the pretence of founding monasteries, that there is really now no room at all where the sons of nobles and veteran soldiers can receive a grant." Such regions are full of idle bachelors, false monks who even make love to nuns. The process was for some person of influence to get a parcel of *Folkland* converted into *bôc-land* for him, by "book" or charter, under the pretence that he meant to erect a monastery. He then peopled it with ne'er-do-wells of his family and friends, who enjoyed monastic privileges and exemptions, "instead of which, they wandered about the country" enjoying themselves. They could not be called on for military service, and heavenly service they entirely neglected. This must be set off against the labour and piety of Melrose and Lindisfarne.[27]

We now turn from English Scotland to the land of the Picts. Human life in the West of Early Scotland, among the pupils and successors of Columba, is best known to us from the Lives of saints. Columba's own life was written by Adamnan, who was the ninth Abbot of Iona, and was born in 626-7, while Columba died in 596 or 597. (Adamnan, *ob.* 704, in 77th year.)[28] In a record of prophecies, miracles, conversions, and telepathic experiences, a few traits of ordinary human existence occur. For example, it is interesting to know that Colca, a friend of Columba, kept a butler, and that the butler was noted to be a merry man, as he twirled the ladle around in the bowl. Columba's monastery had a garden, too, and an Irish gardener, a holy man. In the matter of food, contemporary robbers used to eat horse-flesh, though, perhaps, this was not, as later among the Northmen, necessarily "meat offered to idols." Copying manuscripts with the art of the Irish monasteries, so remarkably vouched for by the wonderfully intricate patterns of the Book of Kells, was a favourite pursuit.[29] As the saint sat at work one day in his little hut of planks, he heard a hail from across the Sound of Iona. "The man who is shouting," said he, "will upset my ink-horn," and, indeed, rushing up to kiss Columba, the stranger did spill the ink over Columba's robe. There were *clachans*, or small villages, among the Highlanders, and Columba foretold that one, near which he lay, would be burned in the night, which really happened. Cottages of wattle burn easily, and houses

were built with *virgarum fasciculi*, bunches of twigs. Friends, very properly, kept tablets, as we saw, on which they wrote down the saint's premonitions, so that there might be documentary evidence that they were actually made before the event. Colca, who kept a butler, used to make such records. Wealthy clerics rejoiced in horses, chariots,[30] and in ladies of pleasure, in spite of which their riches won the respect of the people. This, however, was in Ireland. The monastery valued its property in seals, and protected their young ones. Wells were worshipped, and Strathnaver can still tell a tale of such a survival. Men asked the saint for a favourable wind, as if he had been a Lapland witch. Angling was practised by way of netting, and the saint once miraculously remarked that the next cast would produce a very large salmon. This occurred on the Shiel, which, even in spate, is as clear as a chalk-stream: you can see your fish and cast over him. "The power of miracles here appears accompanied by prophetic foreknowledge," says Adamnan, who, perhaps, had never fished the Shiel.

The people of Lochaber were mainly addicted to robbery and the pastoral life, in which respects the Camerons were not much amended before the days of the good Lochiel.[31] Iona was not wooded, oak was brought from Lorne, but wild boars still infested the Isle of Skye, and the spears that slew them still kept the untrimmed bark. Aquatic animals, capable of killing a man, haunted the river Ness, roaring as they pursued their prey. Perhaps these were the water cows, which the Crofter Commission found still troublesome in the Highlands. The Picts enslaved such Scots as they could capture, and we hear of a Druid whose Irish slave Columba was anxious to release. The Druid would not listen to Columba, wherefore an angel broke the glass cup out of which he was drinking, and cut him very much. This statement is the more curious as, a century later, we find glass-workers being brought from Gaul,—"the art was wholly unknown to the Britons."[32] Columba cured the Druid by a magic pebble, which floated on water. Indeed Columba, with his second-sight, his magic pebble, his gift of favourable winds, and so forth, was a christianised *Shaman*, or *Drui*, or *Jossakeed*, and all the better fittted to impress superstitious Highlanders. His hymns came to be regarded as incantations of magical virtue, his manuscripts as fetiches. When he laid his hand on the folded and bolted gates of King Brude's palace (or

stockade), the doors flew open of their own accord. Game was not then preserved, and nobody interfered with a Highland beggar to whom Columba gave a magical stake that killed deer, but not cattle. There were, of course, local medicine-men, *Druid*, one of whom milked a bull. Columba, however, was his master, for he turned the milk into blood. Ships (coracles of wicker?) were cased in leather, which was useful when they were attacked by annoying insects, as large as frogs. These bit, and "their sting was extremely painful." Long after Columba's death, when a drought afflicted the West Highlands, rain was made by monks who walked round Iona, flapping the tunic of Columba, while others read his books aloud, on a hill where angels had occasionally been seen to visit the holy man.

Such are the scanty glimpses of Christian social life in the West Highlands which we gain from the work of the good Adamnan. In him we see a spirit gentler and more easily entreated than the belligerent and thaumaturgic Columba. Adamnan was the author of a valuable book on the Holy Places of Palestine, setting down the facts which he gathered from the lips of a travelled Bishop of Gaul.

When in England he was asked, rudely enough, why he wore "the tonsure of Simon Magus," the Celtic tonsure, which went from ear to ear, unlike that of Rome.

"Know, dear brother," he replied, "that if I wear the tonsure of Simon, in conformity with the custom of my country, I detest the perfidy of Simon with my whole heart, and desire, as far as my weakness permits, to follow in the steps of the most blessed chief of the Apostles."

Adamnan was able to reform Celtic custom, at least to some extent: we rarely meet a reformer of his gentle and courteous temper. Most are sons of thunder. Nothing can be more touching than Adamnan's tale of how, as the aged Columba, now near his death, rested between the barn and the monastery, there came up to him that "willing servant of the brethren," the white pony which carried their milk-pails. "Knowing that its master was about to leave it,—like a human being it shed copious tears on the saint's bosom." Adamnan paints a life which, beside the sea straits of the West that wander deep into the cloven land among the bases of the hills, remained less altered than any other early form of human existence in this island, till the middle of the eighteenth century. Thus we know that the monastery possessed a mill on a

burn; but, about 1740, Lochiel found Lochaber still using the primitive querns of the crannoges. A simple, martial, pastoral people, full of fairy beliefs, and innocent acceptance of miracles, kind and hospitable where no blood-feud prevailed, or no ambitious chiefs despoiled their neighbours, and urged to war,—such were the converts of Columba on the braes of Lochaber, and such their descendants for long remained, not better housed nor more luxuriously nourished than the ancestral Picts had been.

The settlements of Columba, industrial and missionary stations, brought all the civilisation that such a people required. The order had "few bishops and many presbyters," the abbots had more freedom and less responsibility than prelates. The monasteries were organised on the prevalent system of the kindred, and were full of "founder's kin." The members of the monastery were "soldiers of Christ," and not always averse to secular fighting. Though there were "many presbyters," these presbyters were always ordained by bishops. Humility, hospitality, and obedience were the special virtues: there was no idleness, all were engaged in writing, or in agriculture, and household duties. The brethren wore a *tunica*, or smock, of white, under a *cuculla*, or hood of the natural colour of the wool. Besides the huts, and the church, there was a smithy and a carpenter's shop. A rampart and fosse (*rath*) surrounded the group of buildings; the byres, mill, kiln, and granary were outside the fosse. In Iona the fosse was to prove no protection against the heathen Northmen, who robbed and burned Iona, being met with a constancy in martyrdom as great as their own ferocious indifference to death and pain.

Concerning the art which flourished under the monastic Church of Ireland and Scotland, we have ample information. Several of the books on which the brethren expended so much time and delicate care survive in Irish and Continental libraries. To the monks idleness appeared, indeed, the opportunity of Satan, and in caligraphy they found an occupation favourable to purity of thought. Other art has its own temptations, representing as it does the beauty of nature, and of the vile human body. The Celtic Christian representations of the figure, whether in manuscripts or, more frequently, on stones, are mere savage things, with scarcely more of drawing than a Red Indian grave-post or medicine-chant displays, and with infinitely less merit than the wall-paintings in caves, executed by the Bushmen. These rude careless drawings of the figure, however,

illustrate the dress, manners, and weapons of the age, and to them we shall return. The art of the monasteries found an abstract and unhaunted field, in the delicate interweaving of patterns, interlaced curves, rosettes, frets, and spirals, with grotesquely convoluted animal forms. Already, in the twelfth century, these manuscripts gained the enthusiastic admiration of Giraldus Cambrensis. "The more frequently I behold it, the more diligently I examine it, the more numerous are the beauties I discover." "Such subtlety," he exclaims, "such fine and closely wrought lines, twisted and interwoven in such intricate knots, and adorned with such fresh and brilliant colours."[33] Any one who studies the original MSS. or the reproductions in modern books, will find many patterns with which he is familiar in the Mycenæan art of the ceiling at Orchomenos, or on the blade of a dagger from Mycenæ. Models of Mycenæan art must be at least 2000 years earlier than the date when Eastern or prehistoric influences are echoed in Christian Celtic manuscripts. The motives are repeated on Roman mosaic pavements in England, and meander, fret, and key patterns occur in the decoration even of Peru and Anahuac. The diffusion, or the separate development, of these motives is the topic of learned inquiry. The Celts did not invent them, but combined them with delicate ingenuity, and carried to the highest pitch this abstract and unemotional art. It is dying when it begins to admit actual representation of natural foliage. Like everything which is really a style, that which the Celtic Church borrowed from Celtic paganism permeated the whole field of artistic activity, and is found in metal work and carving on stone. The bells, later treasured in costly shrines, are as plain as the shrines are magnificent. Whoever has seen a common Swiss cattle-bell, has seen the bells of the Celtic saints. The shrines are of bronze, covered with gold, silver, and precious stones, all wrought with the familiar patterns. The crosier of St Fillan repeats the same motives, and proves, by the effigy of the saint in relief, that want of skill did not cause the rudeness in designing the figure. As late as the reign of James III., this crosier was a talisman to protect its guardian in the search for stolen cattle. The relics, the MSS. in their *cumdachs* or jewelled golden cases, were, in fact, fetiches, and were borne into battle. We constantly observe that Christianity was a mere change of dogma; that magic and fetichism endured, with changed fetiches. For, indeed, the world was not then, and is not now, really converted.[34]

The same principles of ornament, the same firm and delicate workmanship, show themselves in the Celtic brooches and other personal ornaments. Found at hazard by ignorant people, they are apt to be melted down at once, if not thrown away. Dr Anderson prints a letter from a man who had broken one in digging a drain from his house. Progress declared itself triumphantly in the drain, and in the man's ability to write. Degradation was as conspicuous in the air of superiority with which he addressed a person capable of being interested in "this old stuff you speak about." He "threw the pearl away, richer than all his tribe."[35] The ornamental system derived from the MSS. recurs on sculptured stones and crosses. These are richer in human figures. We know that spurs and stirrups were not in use. We see the kind of covered cart, with decorated wheel-spokes, the driver sitting in front, in which St Columba was drawn round Iona. Peaked hoods were worn, and a plaid and kilt. Cross-bows were used in hunting, long-bows in war. Broadswords were long, the point was little used. Spears had broad heads, targes were round. Trews and plaid were worn in walking: the long dresses of ecclesiastics were embroidered, the hair and beard were worn long. There are representations of Centaurs, and of hunting-scenes, which the Church took in the best sense, as symbolical. The earlier stones have a curious set of symbols,—the comb, the mirror, a broken floreated rod, and object like a pair of spectacles, all of inscrutable significance. Inscriptions are, rarely, in debased Roman characters, or in Ogam, a kind of cryptic writing of strokes at different angles to a central line. This is found in Ireland and in Wales; in Scotland, strangely enough, only in the eastern part of the country. These characters were at first supposed to be of pre-Christian origin; but the inscriptions do appear on Christian work, and are clearly shown to have a post-Christian origin.[36]

We have tried, by dint of anecdotes from the Lives of the Saints and archæological evidence, to show how life was lived among the peoples of different race and speech who were to become the ancestors of the Scottish men of history. We now turn to social structural conditions. Among the Celts, the structure of society was tribal. The word is glibly used; but except in so far as it implies that the hierarchy of society was constituted on the basis of kinship, and that rank was reckoned by proximity in blood to the representative of a supposed ancestor and founder of the kin, the term

"tribal" tells us very little. "We hear of a state of society, safely, but rather vaguely, described as 'patriarchal,' an expression meaning, apparently, a condition of anarchy into which further inquiry is unnecessary."[37]

The old theory of the origin of a tribe was *patriarchal*. It took for granted that society began in man and wife, then arrived children, grandchildren, and so on till "a troop cometh," and all descendants of A and B compose the tribe A. This system does not explain the *local* tribe, as it is found in the most backward races of mankind. Suppose, on the other hand, that early society (before history in Scotland begins) was Totemistic, then a local tribe (in prehistoric days of nomadic hunter life) would consist, not of so many great-grandsons of A, but of men and women of various Totems. These would be, say, sons of the Dog, Wild Cat, Salmon, Boar, and Wolf. No man might marry a woman of the same Totem; a Wolf man might not marry a Wolf girl, though he was born in Lochaber and she in Caithness. They would still, though of no traceable consanguinity, be within the Forbidden Degrees. All children would probably follow the mother's Totem; a Wolf man weds a Wild Cat girl; their children are Wild Cats, and are thus, by blood, akin to all Wild Cats throughout the island.

But this law of marriage inevitably brings together in a given range of country, say Glencoe, members of several Totems. Though not of blood-kin, they are united by their common interest in protecting the game, fish, and fruits of Glencoe from poachers out of Mamore, while the Mamore people have similar local interests. Thus from groups of various Totems a *local* tribe, certainly not originally consanguineous, is evolved by community of interest in the wild produce of the district over which they range.

We cannot prove that Celtic tribes grew up thus, but the process has been usual elsewhere. Such are, though not invariably, the local tribes of Australian natives: their connection comes from common interests, not from a recognised common descent. Now, when we first meet the Picts, they have long passed beyond the stage of nomad hunters. They have horses, metals, unions for warlike purposes, houses, and kings. They must have practised some rude agriculture, which bound them to the soil and the soil to them, —to each local tribe. They have also abundance of cattle, and so each local tribe is united to preserve its pasture-lands, as well as its

corn-lands and forest. After Christianity, if not before, descent was probably reckoned (except in the Royal line) through fathers, not through mothers. A kind of legal myth would arise that all of the freemen of the tribe holding, say Glencoe, were akin through a first father, paternity being now legally recognised, and the ideal sire being regarded as first settler and founder. Let us call him Ian. At a given date the most successful man of the local tribe, the owner of the largest number of cows, if also a good fighter and speaker, would perhaps succeed in obtaining respect for his claim to be regarded as the direct representative of the mythical Ian—as legal father of the children of the tribe. He would stand in the relation of senior to the local tribe of MacIans, the other members of which would rank highest in proportion to the nearness of their relationship to the head, and would enjoy proportionate privileges. Of what nature would these privileges be?

In a purely nomadic houseless race of hunters and non-cultivators like the Australians, claims of private property in land are occasionally asserted to Europeans, but obviously cannot be made valid where there is neither agriculture nor enclosure. To a local tribe of pastoral, agricultural, and hunting Celts, too, the land which they occupied would be practically common property, but common under growing restrictions. The dwellers in the common strath would begin to be differentiated in various ways; the senior, as representative of the ideal founder, would have the best claims.

First we find in Ireland the social distinction of *Saer*, "Free," and *Daer*, "Unfree." The unfree we may regard as perhaps descendants of a tribe of previous holders, evicted and reduced by the tribe in possession, as in the case of the Helots and Spartans. Captives in war and criminals would also swell the ranks of the unfree. They could not, indeed, be removed from the soil; but not being able to remove themselves if they wished, they were bond. They performed servile "services" in agricultural labour, and as time went on the free came to live very much on the labour and at the expense of the unfree. These bondmen we encounter later, in charters of the thirteenth century.

Taking the free, again, we find that, at the age of twenty, a freeman in Ireland was entitled to a separate residence (a wattled hut) and a share of the tribe's land, in use, not in property. These shares originally were shifted from tribesman to tribesman in a certain rotation. The young freeman would also be allowed to

pasture on the tribal grazing-ground such cattle as he could acquire by intelligence in bargaining or by raiding. Cow-owners were called *boaires*, and there were six grades of them, arising in proportion to their wealth in cattle. The man of the lowest grade had seven cows, a bull, a horse, and the *use* of thirty acres of tribal arable land. At a certain degree of wealth, when a man used land valued at sixty-three cows, he became subject to the "service" of giving free quarters to any king, bishop, judge, or poet who arrived at his house. When a *boaire* had more cattle than he could well manage or use in ploughing, he let the surplus cows out as "stock" to tenants (*ceile*), who paid rent in kind and in service, not for *land* but for use of *stock*. The poor man to whom St Columba granted, magically, that his cattle should always be 105, neither more nor less, must have held considerable rank. Now human nature being what it is, a *boaire* of many cows and proportionate influence among the cowless would detest the system which compelled him periodically to exchange the land of which he had the use for the portion assigned to some other tribesman. He would manage to keep his land still in right of *use*, not in actual *property*. As time went on, land which a family had used for three generations came to be regarded as their very own, and the men who held it were landlords, chieftains, "*flaith*." Land thus fell to a great degree into private hands, while the poor tribesmen "took stock," borrowed cattle from their *flath*, and paid in food-rent and services, in labour and in war, being servile in various degrees, as each borrowed more or less stock. Tenants might be either bond or free, and might be either tribesmen or broken men of other tribes, who gathered round a wealthy and powerful *aire*, probably adopting his name as their patronymic.[38]

In some such way as this, by aid of concentration of wealth (cattle) in the hands of the ablest, an aristocracy would arise within the *ciniol*, or kin of the tribe—an institution which can scarcely be fostered where there is no agriculture, and animals capable of domestication are not found. The tribe evolves not only an aristocracy but a *ri* or king, elected in the line of the real or supposed chief ancestor. How the Tanist, or selected heir-apparent, stood next the king, we have already explained in treating of the Picto-Scottish kingdom under the dynasty of Kenneth MacAlpine. But a *ri*, we might suppose, was only likely to exist when several such small tribes as we have conceived, for the sake of illustration, in Glencoe,

have combined from a sense of their common interests in a larger region than a single strath, and have consolidated their union by the perhaps unconscious legal myth that they spring from a common ancestor. Yet, if the fighting force of a *ri* was but 700 men, it is obvious that a single small tribe might have a *ri* of its own.[39] The land would now be in this position: (1) There would be the portion "not yet meted out," in the Greek phrase—the common pasture-land and the common arable land which still passes, in plots, by way of rotation to freemen owning cattle who have not yet secured a portion of tribal land in actual property. There would be (2) land assigned to the *ri* and the Tanist in virtue of their office, and there would be "Kirklands." (3) There would be land held by successful individuals in private property. These holders, probably few, would let out what they did not need to *ceile*, or tenants to whom they had lent stock, receiving rent in food, free quarters, labour, and aid in war.

Several of these tribes (*tuath*), each with its *dun* or fort, made up a *mortuath*, or great tribe, or province (there seem, as we saw, to have been seven in Pictland), each province having its *ri*, as later we hear of Ri Moreb, the King of Moray. Over all was the *ardri*, chief king.

These statements are based on Irish law, but an analogous state of affairs prevailed in Celtic Scotland. We see traces of it in our old fairy-tales, where kings and queens are so common, and the queen has so much business with the hen-wife. Her husband would be a *ri*, a king, but a king of a tribe, not of the nation.

As to customary law, there was a system of fines for homicide, rising in value with the rank of the slain man, his honour-price. In fact, there was a regular hierarchy, from the slave to the unfree tenant, and so up to the Ardrigh.[40] Thus Celtic society has certain elements of feudalism, with customary rather than written duties and obligations. It will be later shown how, as English, Norman, and strict feudal influences gradually prevailed in Scotland, the *mortuath*, or great tribe (an aggregate of *tuaths*, or small tribes), became the Earldom, while the *tuath*, or small tribal unit, became the *thanage*.

In the old tribal constitution there existed a privileged inner circle, the *ciniod* or near kinsmen of the *flath*,[41] or senior, while just without the *ciniod* lay the members of the tribe who became the *flath's* immediate followers. This *flath* was not identical with

the *ri*,—apparently there might be several *flaith* of several family associations within the tribe; but to each tribe only one *ri*, the *flath* of the most powerful sept or family. The arrangements within these families, septs, or whatever we are to call them, were of the utmost complexity. They appear to have agreed in this feature, that a man of the kin beyond the fourth degree of relationship to the chief of the day lost these claims on land which his father, grandfather, and great-grandfather had enjoyed. He fell back into a class called *ogtiernach*, what land he had was not a "noble" holding; and if he was in the region where charters came in, under David I., he might even sink to villein's estate. He did not any longer hold family land, as a member of the family, but he relapsed into the bulk of the tribe. Thus we seem to see the rise of a landless or not sufficiently landed class, "sib to the chief," far-away poor cousins, useful as swordsmen, and quartered, very probably, on the chief's Unfree dependants. They would be idle, proud, martial, and, as was long afterwards said of Lochaber men, would "live like lairds, and die like loons." We appear to recognise late descendants of such men in the "thigging and sorning" poor "gentlemen" who roamed the Highlands as late as 1745.[42]

So much for the mysteries of Celtic land-tenure. About land-holding in the English part of modern Scotland, the information is scanty. Northumbria is not included in Domesday Book. But, to students of Kemble's 'Anglo-Saxons,' and of the minuter discussions of modern times, it seems clear that the English Folkland answers (or rather at a very early date before "booking" land came in, had answered) to the tribal land of the Celts. The Unfree class in the English regions corresponded to the Unfree among the Celts. But, among the English, private property in land was early acquired by "booking" it (*bôcland*), a result of Roman usage, whereas the "sheepskin" tenure was disdained by Celts. Rents, in England, were paid in services, often very laborious; in food-rent, grain, beer, wax, butter, and even free quarters. *Laenland* is land held on rent of various kinds; *pastus*, free entertainment, answers to the Celtic *cuairt;* and the *comites*, or military followers of a chief, have an undignified parallel in the distant cousins whose swords were at the service of the *flath*. We hear less of cattle given as stock to tenants, though we do hear of it, among the English (this is the Scottish *steel-bow* tenure), while, among Celts, we hear much

less than among the English of tribal moots, assemblies, votings, and all the germs of constitutional government.

The Celtic, in short, is a ruder and earlier form of the Teutonic society, however the form suited the environment. The most essential distinction is, among Celts, the absence of the *bóc*, the written agreement. After Culloden, the Whig and Lowland observers were, or affected to be, horrified by the "slavery" in which chiefs held people, by dint of the vagueness of unwritten customs as to services. The people, however, retained the traditional aversion to written leases. Custom was severe, but custom had its alleviations as between men of the same blood. Written leases were hard and fast; no rent, no tenure; the chief became "a kinless loon." Thus institutions as to land-holding which, among Celts or English, began in the same germs, were differently modified by the longer persistence, among the Celts, of early social habits and ideas. Nothing, not even difference of language, contributed more than this difference in land-holding to make English and Celts of Scotland distinct and even hostile nations. The differentiation was stereotyped, in the period which follows, by the introduction of feudalism on the Norman and European system. That system did but lay a thin veneer over the persistent unwritten feudalism of the remoter Celts, "the auld enemies of Scotland."

As to the class of the Unfree, who existed among the Celts, among the English, too, of southern Scotland, they must have occupied the lowest rank of society. Modern scholarship has minutely analysed their legal status in the England which is known through Domesday Book; and in Northumbria, which is not included in the Conqueror's survey, similar conditions must have existed. The lowest rank of all is that of the *servus*, or *theow*. It seems that the *servi* were not worked in gangs, as negroes are on a cotton plantation, but were attached to tenements, and so far had fixed duties, and might acquire a *peculium*, their savings. The Church tried to make it a matter of Christian duty, as early as the seventh century, not to rob a *servus* of what he had hoarded. If a *servus* did wrong, the learned are not certain as to whether his lord was left to answer for him (as if he had been a mad bull), or whether he could be legally fined, and had a recognised honour-price, or *wergeld*, like a human being. A *servus* may be emancipated, a free man may become a *servus*. If a freeman is slain (this is later, in the laws of Henry I.) his honour-price is £4, exactly

the thirty pieces of silver paid for our Lord![43] The kin of a slain *servus* only get 3s. 4d., his lord gets £1. As the idea of payment of honour-price went out, and that of hanging for felony came in, "the gallows was a great leveller." The state of the *servus* merges into that of the *villein*, when the *servus* has land and oxen. The *servus* might be sold, and might fetch as much as £1. Above the *servus* was the boor, *colibertus*, who might be pursued and taken if he left his lord. He took stock in cattle from his lord, two oxen, a cow, six sheep, seed for his yardland, and these, on his death, went back to his lord. This is, so far, not so unlike the Celtic system of taking stock from the *flath*. The boor is on a lower level than the *villanus*, or *villein*. He is free, for he pays Peter's penny, and his honour-price is 200 shillings. His position, however, makes him a perpetual debtor of his lord, whose service he cannot well leave. The *villanus* had a larger holding, and, it seems, might have cottiers working under him for wages.[44] These people are not *servi*, but they are not *liberales homines*, men wholly free. A *villanus* with only two oxen, if killed, had to be paid for at the price of two dozen oxen, a sum which a homicidal person might think high. He was not free for all that, though it is not certain whether, if he left his lord, he could be legally pursued. Apparently, before the Conquest, there is no evidence that the *villanus* was tied to the soil. Only he was a beggar if he left it. In different places, and different cases, he might, or might not, be amenable to his lord's court. His oath only ranked, in evidence, at the sixth of the oath of a *thegn*. The fact is that the Conquest depressed the *villani*, and thrust "servile service" upon them. But English Scotland would only be touched in so far as under David I. and his successors the laws of Normanised England were adopted in Scotland. That is a topic to be discussed after the De Vescis, Balliols, and Bruces have become lords of land in our country.

To what extent the ancient Celtic population survived in English Scotland, say, on the Border, is a question which cannot be answered. Celtic names do not appear as those of land-holders in the earliest Lowland charters. The names of fields and farms in the same documents are purely English, though river-names and some hill-names remain Gaelic. The remnant of the ancient Celts of the south of Scotland probably became blent with the humbler classes of the English, losing both their lands and their language.

THE KINGDOM OF SCOTIA
Leodhus
Sgithith
MOREVIA
Scone
Edinburgh
Dumbarton
GADGEDDLI
Durham
HIBERNIA
Man
6
5
4
3
2
1
58
57
56
55

In a later chapter we shall meet all the ranks and conditions of society with which we have been dealing as they glide, or jolt, into the places assigned to them by the feudalism of David, William the Lion, and the kings named Alexander. Here we leave the unwritten, or little written, records of life during five hundred years of war between Celts and English, Celts and Northmen, Celts against brother Celts, and of war between heathendom and Christianity. The traces of that age sleep on museum shelves, or under the black water of lochans, or in howes and barrows. Grey stones on windy moors, green knolls in the *pastorum loca vasta*—the wide tablelands and hills of North and South—speak dumbly of forgotten kings and unremembered wars. The whaup wails over them now, as when Kenneth reigned, or Constantine.

NOTES TO CHAPTER IV.

[1] Munro's Ancient Scottish Lake-Dwellings, 1882.

[2] Munro, pp. 99-101; Lochlee, pp. 259-262.

[3] Innes, Sketches of Early Scottish History, p. 101.

[4] Do the flint weapons point to the building of the island before metals came in, or were they "survivals" lingering into a later age?

[5] At this moment the so-called Clyde crannoge, with many remains of Australian and Red Indian type, is matter of controversy.

[6] While most crannoges appear to have been inhabited chiefly in post-Roman days, an example was found (1898) by Mr W. A. Donnelly, under tidal water, at Dumbuck, in the Clyde, which seemed to contain no relics of so late a date, no pottery, and no metals. In this crannoge (if the title be correctly conferred on it) were discovered quantities of small stones decorated with "cup and ring" markings, and other very early ornamental devices familiar on boulders and rocks in many places. Except in a fort at Dunbuie, near Dumbarton, also of recent excavation, the occurrence of those designs on portable stones was almost unknown by antiquaries. A most curious parallel is to be noted in the portable *churinga* (small decorated stones) and inscribed rocks of the Arunta, a tribe of Central Australia. In that tribe the decorative marks symbolically represent the philosophy, religion, magic, and legendary history of the people. Conceivably as much lore may lie for ever undeciphered in the designs, on rock and stone, of an unknown people in Scotland. See 'The Native Tribes of Central Australia,' Spencer and Gillen, Macmillans, 1899; and compare Sir James Y. Simpson's 'Archaic Sculpturing of Cups and Circles,' Edinburgh, 1867. The authenticity of the Dunbuie and Dumbuck inscribed stones has been disputed by Dr Munro. I may refer to my article, "Cup and Ring," in *Contemporary Review*, March 1899.

[7] Skene, i. 236. Compare Craig-Brown, History of Ettrick Forest. Mr

Francis Lynn has carefully followed the Catrail: he does not regard it as a continuous work, nor as a defence of Strathclyde. See his elaborate essay in Proceedings of Scottish Society of Antiquaries, 1898.

[8] Claverhouse speaks of how "the soldiers found out a house in the hill underground," where the Christian carrier hid his weapons. Napier's 'Dundee,' i. 141.

[9] Joseph Anderson, Scotland in Pagan Times. The Iron Age.

[10] See the whole subject in Clarke's 'Mediæval Military Architecture in England' (1884), i. 26-34.

[11] Christison, *op. cit.*, pp. 1-40.

[12] "The Motes in Norman Scotland," 'The Scottish Review,' October 1898.

[13] The very scanty space on the tops of some motes is not easily reconcilable with this general view, and it would be interesting to see it worked out with regard to the similar mounds—for example, in Sligo. Something very like an artificial mote, still crowned with a more recent castle in stone, may be observed at Kenmure, in Galloway, above Loch Ken.

[14] There is an excellent example of a large fort, with ditch and rampart, on Chapel Hill, above Branxholme Loch.

[15] C. Plummer's Bæd. Op., lib. iv. cap. 22, pp. 258-262.

[16] Plummer, Bæd. Op., i. 368. [17] Ibid., ii. 101, 102.

[18] Anderson, Scotland in Early Christian Times, First Series, p. 94.

[19] Anderson, *op. cit.*, p. 125, note.

[20] Anderson, Scotland in Pagan Times. The Iron Age, p. 104.

[21] The ghost of the Dhuine Mòr, at Ballachulish, and another anecdote, may hint that it is not, even yet, quite safe to meddle with Viking sepulchres!

[22] This unfriendly description is by Prosper Mérimée.

[23] These visions of men recovered after apparent death are very common. We find them among Kanekas, Aztecs, Melanesians, and, quite recently, Arapahoes. The Arapahoe, on recovering, founded a new religion. These visions must have been of great importance in the evolution of belief.

[24] See Columba's theory of this rare gift, "mirabiliter laxato mentis sinu" ("an uprush of subliminal faculty"), Adamnan, i. c. 35.

[25] Plummer's Bæd. Op., Notes, vol. ii. bk. iv. chap. 27, p. 265. St Cuthbert (651).

[26] Kemble, Anglo-Saxons, i. 290, ed. 1876. Bede's letter "ad Ecgberthum Archiepiscopum," Op. Min., Plummer, i. 405-423.

[27] On Bookland and Folkland, see Maitland, 'Domesday Book and Beyond,' 257: "Folkland is"—not a waste owned by the Folk, but—"land held without book, by unwritten title, by the folk-law." The king exerts over it "an alienable superiority." Cf. Ramsay, 'The Foundations of England,' i. 170-173.

[28] Cf. Skene, ii. 174. In i. 245, however, Skene says Adamnan was born 624.

[29] The art of the age is discussed later.

[30] Columba had a chariot in Iona.

[31] Adamnan, ii. xxii., xxiii.

[32] Bede, Mr Plummer's edition, ii. 359.

[33] Anderson, Scotland in Early Christian Times, First Series, 151.

[34] The story of the crosier of St Fillan should be read in Dr Anderson's delightful 'Rhind Lectures,' 1879, from which the facts are here borrowed. The Quigrich itself is in the National Museum in Edinburgh.

[35] Early Christian Times, Second Series, p. 16.

[36] Skene, ii. 449. [37] Robertson, ii. 197.

[38] This is a brief statement of a speculation of Mr Skene's, based on the old

Irish laws (Brehon laws) of different periods. The minute details may only be the ideals of the Brehon compiler, but, as a general theory, the notions seem valid. The present author has elsewhere applied the scheme to the social condition of Attica before Solon, where it appears to solve problems not easily explained without the comparison of the Celtic systems. See 'Essays on the Politics of Aristotle.'

[39] Skene, iii. 149.

[40] The honour-prices are given in Robertson, ii. Appendix, Wergilds.

[41] *Flath* "seems clearly to mean landowner," or laird. Ramsay, 'Foundations of England,' i. 16, note 4.

[42] 'The Highlands of Scotland in 1750,' 151. The reader may refer to the works of Mr Skene, Mr E. W. Robertson, Mr J. F. M'Lennan, and 'The Senchus More,' for the incredible intricacies of the family system.

[43] Reckoning the shekel at 2s. 8d.

[44] Maitland, Domesday and Beyond, pp. 41-46.

CHAPTER V.

THE DYNASTY OF MALCOLM CANMORE.

FROM this summary sketch of life and manners among the four or five nationalities which went to the making of Scotland, we return to that skeleton of great historical events, which is all that a brief record can supply. The task of writing, or of reading about, history in long periods destitute of ample documents and letters is indeed irksome and arid.

The present chapter covers an epoch of two centuries. Through these many years life was as full of emotion and of adventure as at any other period. The ambitions, terrors, hopes, and desires of men were as active as they are to-day. There were Celtic risings for Celtic claimants of the throne; and a MacHeth, or a Mac-William, may have roused loyalty as loving as ever did Prince Charles, and run risks and venturous scapes as exciting as were his in the same moors, lochs, and hills. But all is forgotten. A descent of Northmen was as thrilling as Napoleon's intended invasion; but neither our space nor our knowledge enables us to paint these old fears and hopes of Scotland. Great expanses of country are cruelly devastated; the wooden houses flare up like torches, and the smoke blackens the towers of churches; there are flights and captures, murders and manslayings, despair of women, cries of children. All these things hurry past dimly and swiftly, like crowding phantasms in the crystal ball of history; faint outlines and colours wan.

This was the age, too, of the great early constitutional struggles of England. Her native people and her barons were making head against her alien kings. Her kings were now crusading; now, from their French possessions, were swaying the fortunes of Europe. Church and State, Pope, King, and Emperor were at strife; Becket

was murdered; the Great Charter was won; under Stephen England was plunged into an *inferno* of lust and cruelty. In the records of England at this age, from the Conquest to Edward I., all is on a great heroic scale, and chronicles are copious, details abound. Concerning Scotland, meanwhile, throughout an epoch so momentous, we have but traditions rewritten in a later age, or incidental English mentions, dropped among the weightier affairs of home, of France, of the Pope, of Europe. This must be our apology for crowded and dusty pages, in which we try to show the general trend of events, and, above all, to mark the growth and nature of English influence and of the English claims to overlordship of Scotland. The social changes of the age, the change to feudal and civic institutions, are reserved for a later chapter.

We now turn to the long reign of Malcolm, called *Canmore* or "Great Head" by his Celtic subjects (1058-1093). The fatal tendency of things was for the English inhabitants of south-eastern Scotland, of Lothian, to carry away their Celtic lord by the force of a language more allied to the languages of the Continent, and by gravitation towards the manners of the far weightier body of their kinsfolk in England. *A priori* we should expect the English of Lothian, under Malcolm Canmore, to be ever looking towards England and longing for reunion; while we should expect England to anticipate the policy of the Tudors; to win over the Borderers and chief men on the Scottish side, and so secure a *point d'appui* whence to conquer the Celtic and northern parts of Scotland.

But, first, the distracted state of England at this time, torn between Danish and English claims, and, next, the conquest of England by the Duke of Normandy, prevented any such course of events. The English of Lothian did not want a Norman master, and Norman influences were to be introduced in Scotland not by conquest, but by the favour of kings who were English in the female line. Meanwhile, under Malcolm Canmore, Celtic influences at first predominated. The very name given to Malcolm by his subjects is Gaelic, not English, like that of "James of the Fiery Face" in later days. The disputes of tribe and language may no longer take the shape of war between rival kings in Scotland, of the Dalriadic king or the king of Cumbria against the king of Alban, but provincial insurrections under Celtic *prétendants* keep alive the ancient antagonisms of race, of Celt and Anglo-Norman. The process of attempted infeudation to England holds its way;

England asserts and makes good her claims when she can, Scotland throws them off when she is able. The claims are differently construed by both parties: there is a chain, or *catena*, of alleged submissions, but the chain is constantly broken. In a law court England might conceivably carry her case, but it is argued with varying results on the fields of diplomacy and of battle. Still, the processes of evolution tend towards a united independent Scotland, with the English or Anglo-Norman element gradually overriding the Norse and Celtic elements. These broad facts, not the "fightings and flockings of kites and crows"—English, Scottish, Northman, Norman—make the interest of the period.

Malcolm reigned from 1058 to 1093, if we reckon the reign of the rightful king, Lulach, 1057-58. A marginal note on the Historia Regum of Simeon of Durham is not very good evidence for his visit, not homage, to Edward the Confessor in 1059.[1] In 1061, he ravaged Northumbria, though Tostig, Earl of Northumbria, was his sworn brother. Malcolm's hostile attitude, expressed in his forceful tenure of Cumberland (1070), was rendered possible by the Norman Conquest, which so far failed to reach the extreme north of England that Northumbria and Cumberland are not included in Domesday Book. In this way, the North being unprotected by the central English power, and Malcolm being allied with his brother-in-law, Eadgar Ætheling, and with the anti-Norman Anglo-Danes of Northumbria, the Norman Conquest incidentally did much towards the making of a more vigorous and more extended Scotland.

Before the great adventure of Duke William offered Malcolm these opportunities and alliances, he had conciliated the Northmen in his realm by marrying Ingebiorge, daughter of the Northman Earl Thorfinn, by whom he had a son, Duncan. Ingebiorge probably died before 1068. The Norman Conquest of 1066 caused Eadgar Ætheling, of the old English Royal House, to flee, with his sisters, Margaret and Christina, into Scotland (1067), where Eadgar afterwards played something like the part of the Chevalier de St George abroad, in later years. He was a *prétendant* to the English throne, with scanty backing, and without the stuff of a hero. In 1068 (probably), Malcolm took for his second wife, Margaret, the beautiful and saintly sister of the Ætheling. They were married at Dunfermline, where the king of the ballad sits "drinking the blood-red wine."[2]

The cause of Malcolm's brother-in-law, the exiled Ætheling, was always a fair pretext for a Scottish entry into Northumberland. The Earl of Northumbria, at this time, was Gospatric, a kinsman of Malcolm. In 1068, Gospatric, after some movement towards an insurrection against William in Northumberland, retired to Scotland. In January 1069, Robert de Comines (Comyn, the first of that famous Scoto-Norman house), William's new Earl of Northumbria, was slain at Durham, and the Ætheling appeared at York, only to be driven out by William. A Danish fleet in the Humber next aided the Northumbrian rising. The Norman castles of York were stormed; the Danes then retired to their ships; Eadgar retreated north of Tyne; William bought off the Danes, and ravaged the country between Tyne and Humber. In this easy phrase, which recurs in almost every page, are packed unknown miseries. Famine followed war. As against 11,500 "soc-men" (yeomen of Danish descent) in Lincolnshire, but 447 were found, by Domesday Book, in Yorkshire. The rest were dead or fled to Scotland, where they became sires of a sturdy Lowland race.

In 1070 Malcolm marched through Teesdale, penetrating into Yorks as far as what is now Castle Howard, and, according to a writer usually cited as Simeon of Durham, displaying savage cruelty. But the Danes had gone home, the Ætheling's cause had been abandoned; Gospatric was making a diversion by plundering Malcolm's lands of Cumberland, and it is now (1070) that a chronicler, followed by Mr Freeman and Mr E. W. Robertson, places his tale of Malcolm's meeting with the Ætheling at Wearmouth, and his marriage with Margaret. Scotland was full of English thralls, and of Anglo-Danish refugees.

In 1072, William led a naval and military force against Scotland, fording Forth, and receiving homage of an indefinite kind from Malcolm, apparently at Abernethy.[3] As hostage he took Duncan, Malcolm's eldest son by his first wife.[4] We call the homage "indefinite," mainly because historians cannot agree about it, but construe it in different ways. Mr Freeman believes in an earlier and confessedly vague submission of Malcolm to William in 1068. Mr Robertson rejects this homage, as resting only on the authority of a late and inaccurate writer, Ordericus Vitalis (1075-1141), the English Chronicle being silent as to a homage in 1068.[5] These champions again differ as to the nature of Malcolm's submission at Abernethy in 1072. "He became the man of the

Conqueror," says Mr Freeman, quoting the English Chronicle, and Florence. Mr Robertson, on the other hand, argues that Malcolm received from William a grant of manors in England, and a pension, and that his homage was merely "the feudal recognition of his subsidy," in return for which he kept peace and was good neighbour on the Border.[6] Mr Skene "cannot tell whether Malcolm's homage was paid for the kingdom, or for one or both of the outlying provinces of Cumbria and Lothian."

That an arrangement was made, at Abernethy, in 1072, by which Malcolm was to receive twelve *villæ* in England, and a subsidy from William, is certain, as will appear later. But it will also appear that the homage, for whatever it was paid, is of crucial importance in regard to the later claims of Edward I. Malcolm afterwards declared that he would never "do right" to an English king, "except on the marches of the kingdoms." Now, in 1072, he certainly "did right" at Abernethy. Does this indicate that, in his opinion, Tay was his legitimate southern frontier? If so, he must have regarded Lothian as no real part of his realm of Scotland. Probably none of the English arguments for supremacy, at least in Lothian, is so telling as that founded on the meeting at Abernethy. Yet even that argument is disputable.

On returning to England, William dismissed Gospatric from the earldom of Northumberland, and gave it to Waltheof, son of Earl Siward, by Elfleda, daughter of Earl Aldred. Waltheof was later put to death by the Conqueror. His promotion to the earldom of Northumbria is important, because the claims on Northumbria made by David I. and William the Lion rested on their kinship with this earl.

The fugitive Gospatric soon obtained the earldom of Dunbar from Malcolm, and if Malcolm was indeed William's "man," it is extraordinary that he should thus have received William's rebel, and endowed him with lands actually in Lothian. Gospatric founded the noble House of March, later so prominent for good and for evil. It will be remarked, when we reach the struggle for Scottish independence, that the Earls of Dunbar and March, the representatives of Gospatric, were commonly of the English party, even more than most of the Scottish aristocracy, though they came of Crinan's line. The Ætheling, meanwhile, during the Abernethy negotiations, had gone to Flanders, whether in consequence of a demand by William, or not, is uncertain. He returned in 1073, and after

all the bad luck which usually attends the incompetent, he was then reconciled to William, and resided at his court for a while.

Whatever the degree of his submission to William at Abernethy, Malcolm now passed on against the "Ri Moreb," Mailsnechtan, the Celtic "king" of his own uncertain province of Moray. Malcolm drove out this son of Lulach (Macbeth's ward), who fled to Lochaber, where he died:[7] his claims were now in other hands, they did not lapse. In 1079, William being abroad, his "vassal," Malcolm, harried Northumbria as far as Tyne. In the autumn of 1080, William sent his eldest son, Robert, to avenge this outrage; Robert returned, without any glory, after reaching Falkirk, and founded Newcastle-on-Tyne, a great bridle of the Scots.

On September 9, 1087, William died, and four years later the Ætheling—his Norman lands under Duke Robert being confiscated—took himself and his perennial ill-luck to Scotland again. In May 1091, Malcolm invaded England, whereon William Rufus, with his brother Robert, crossed the sea, losing most of his fleet, and was met by Malcolm "in Provincia Loidis."[8] Here the treaty of Abernethy was renewed.[9] Robert and Eadgar Ætheling had turned the meeting in a peaceful direction, and Malcolm "became the man of William Rufus, with all such obedience as he had paid to his father," the Conqueror. Rufus on his side was to restore to Malcolm "twelve *villæ* which he had enjoyed under the Conqueror, and to pay him yearly twelve marks in gold."[10] This must refer to the arrangement at Abernethy (1072) when Malcolm did homage, receiving in return the twelve *villæ* and a yearly subsidy. Nothing follows as to any homage by him for *Lothian*. That homage for Lothian is asserted as a fact in "a gossiping description of an interview" between Rufus and Malcolm, written long after date by Ordericus Vitalis. Therein Malcolm is made to acknowledge the gift of the earldom of Lothian from *Edward the Confessor* on the occasion of his marriage with *Margaret!* As the Confessor was in his grave when that marriage was celebrated, Ordericus babbles fondly. No conclusion as to the Scottish king's vassaldom for Lothian can be drawn from such a story. It is open to argument that at Abernethy Malcolm only promised to be a good neighbour to the Conqueror in return for his subsidy and twelve *villæ*, and that all the obedience and homage ever paid by him was paid for them.

The peace with Rufus was brief. Coveting Cumbria from Solway

to Derwent, the English king refortified Carlisle (which had been destroyed two hundred years earlier by the Northmen), and so cut "a monstrous cantle" off the lands under Malcolm in Cumbria.[11] Irritated on this or some other score, perhaps connected with his twelve English *villæ*, Malcolm complained of ill-treatment. Rufus at the time was sick and penitent; Malcolm, who had sent an embassy, was therefore invited to meet him at Gloucester. He went thither under the conduct of the Ætheling, but Rufus was now better in health, and was worse disposed. He declined to see Malcolm, and referred him to the judgment of his own Anglo-Norman barons, and to them alone. Malcolm disdained their jurisdiction, and refused "to do right" to Rufus, except on the judgment of the peers of *both* realms, and on the marches of the two kingdoms. There, and there alone, the kings of Scotland were wont "to do right" to the kings of England.[12] Now this is perplexing. On the one hand, if Malcolm, at Abernethy in 1072, did homage "for all he had," there was no reason why he should not now "do right" to his overlord in the court of his overlord at Gloucester. William the Lion did as much, habitually, when he was undeniably the "man" of Henry II. after the Treaty of Falaise. We shall later see John Balliol summoned to the court of his overlord, Edward I., on a wine-merchant's bill! Nor could Malcolm, as a peer of Rufus's, refuse the judgment of his English fellow-peers. So far, it seems as if Malcolm's sole feudal relation to Rufus was for his *villæ* in England, and his subsidy, not for Cumbria, not for Lothian, not for Scotland.[13] But, if ever Malcolm "did right" to a king of England, it was in 1072 at Abernethy. Was *that* "on the marches of the two kingdoms"? Abernethy is on the narrows of the Firth of Tay, which would imply that Malcolm's proper kingdom lay north of Tay only.[14] The matter may be argued either way: on the one hand, Malcolm at Gloucester adopts lofty airs as an independent king, even when in the power of Rufus. On the other hand, if he would only "do right" on his frontier, as he really "did right" at Abernethy, that looks as if Scotland north of Tay was alone regarded by him as his proper kingdom.

We shall later find Henry VIII. asserting that no king of Scotland should ever enter England peacefully, save as a vassal. Malcolm entered peacefully, but *not* as a vassal; he refused to play the vassal's part at Gloucester.

Indignant at his reception, he returned home, and presently invaded England at the head of an army. He was met and slain near Alnwick by Robert de Mowbray, or rather by Malcolm's friend and *god-sib*, or fellow god-father, Morel of Bamborough (Nov. 13, 1093). There are hints of treachery. Malcolm's son Edward fell with him, and St Margaret, at the moment in ill health, did not survive the double blow, dying in Edinburgh Castle. Her corpse was quietly removed to Dunfermline by way of the West Port, under cover of a mist, it is said, for fear of outrage. If this be true, if secrecy was needed, the defeat of Malcolm must have heartened the Celtic opponents of his English friends, and even the body of his sainted English queen may have been in danger.[15]

Even the hostile Durham historian admits a patch from Florence, showing that the ferocity of Malcolm's temper was calmed by his union with his saintly English wife. Every one has heard the pleasant stories told by Margaret's confessor and biographer, Turgot: how royally the king bound these books of Margaret, which he could not read, in gold embossed with precious stones.[16] The good queen would encroach on Malcolm's private purse for her charities, whereat he only laughed. As an instance of his magnanimity, we are told that at a deer-drive Malcolm managed to be alone with a noble who, he knew, had a design on his life, and won him over by sheer generous courage.[17] The queen was queenly as well as saintly, and kept a fair show of royal splendour and courtly etiquette, new, and perhaps not welcome, in the Celtic north. Courtiers were expected to be suitably dressed, and an impulse was given to foreign trade in stuffs. Conceivably these innovations, as well as Celtic reaction in favour of Malcolm's brother, Donald Ban, made the kind and charitable queen an object of secret grudges. Her influence had, indeed, been a fountain-head of change, and much as her confessor and biographer admired Queen Margaret's innovations, the Celtic clergy, the Celtic chiefs, perhaps even the Celtic poor whom she fed and tended, looked on her reforms with suspicious eyes.[18]

The most marked and definite novelties of the reign were ecclesiastical. During the old times of the ravages of Northmen, and the flight or death of monks, Church estates fell much into the hands of married laymen, and Malcolm Canmore himself represented in the male line the lay Abbot of Dunkeld, father of King Duncan. This licence of married men possessing and transmitting church

property was not confined to the Dunkeld abbots. Even the *Cele De*, Culdees, originally ascetic hermits, then hermits grouped together under canonical law (as on the Isle of Loch Leven, where hermits must have lived in close quarters), became something not unlike married Fellows of a College. This, at least, is the view suggested by the unfriendly Legend of St Andrews, written probably in the middle of the twelfth century, by a scandalised ecclesiastic of the new Anglicised sort. The appropriation of Church property by laymen has always been a tendency of the Scottish, and was conspicuously illustrated both before and after the Reformation.

The Scottish Church, then, when Malcolm wedded the saintly English Margaret, was Celtic, and presented peculiarities odious to an English lady, strongly attached to the Establishment as she knew it at home. With all her virtues, Margaret was what, in Scotland, we call "very English"—that is, very "correct," and punctilious. Her private interests, however, in her son's lay benefices, were not touched by her reforms. Probably Malcolm was firm on this point. Her biographer and director, Turgot, represents her as holding Councils to decide between the Celtic and English Church fashions, while the worthy Malcolm interpreted, as he, if no theologian, at least knew both Gaelic and English. The Celtic priests must have disliked the interference of an Englishwoman.

First, there was a difference in keeping Lent. The Celts did not begin on Ash Wednesday, but, following the early rule, on the Monday following. On Easter-day they did not communicate. There were also "masses in I know not what barbarous rite"; perhaps, as Mr Skene suggests, the service was celebrated, not in Latin, but in the vernacular. The (Protestant) Bishop of Edinburgh, Dr Dowden, suggests that, more probably, an extraordinary Irish way of arranging fragments of the wafer in a cross and circle may be the subject of the allusion.[19] They worked on Sunday, but kept Saturday in a sabbatical manner. A man might marry his deceased brother's wife, and even, it is said, his stepmother. These things Margaret abolished, and brought the Celtic customs into Christian conformity. But the hereditary lay benefices? These, as we said, were left unreformed. Margaret's own son, Ethelred, was lay Abbot of Dunkeld. Margaret was pious, charitable, correct, learned. She presented golden crucifixes to churches, she established *hospitia* for pilgrims, she restored the sacked and ruined monastery of Iona. A little miracle was wrought for her;[20] her

book of devotion fell into the water, and was not injured. Indeed it may now be seen in the Bodleian Library, having been bought for £6, at a clearance of a parish library in England. But St Margaret with all these merits did not, or could not, touch the lay benefices. The ingenuous Malcolm was, on that point, firm as a rock.

Thus with Margaret came the beginning of the end of the monastic Celtic Church of Scotland, and, in Malcolm's last year, died Fothadh, the last Celtic Bishop of Alban. He was followed by an interregnum of fourteen years (1093-1107), and then came a stranger bishop. Henceforth the clergy, of St Andrews, for example, begin to bear English names: Celtic names gradually disappear. The St Andrews Culdees, though they yielded place to the Augustinian canons, were finally converted into the Provost and Chapter of St Mary's of the Rock. (To anticipate, we may note that, as late as the great War of Independence, this Chapter was maintaining its right to elect a bishop — namely their Provost, William Comyn. The perjured and patriotic William Lamberton, the friend of Bruce, was the candidate of the national party. Edward I. supported Comyn, and thus the survivors of the old Celtic ecclesiastical body, like the military Celts of Galloway, the Isles, and Lorne, were then opposed to the national interests of Scotland.)

Every reader of Scottish history must observe how, in the change of times and ideas, the wind, so harsh to Ireland, to Scotland was tempered. The new Anglo-Norman ideas entered Scotland by infiltration. An English queen, her English children, gradually introduced changes which, in Ireland, came in the wake of conquest and the sword. For example, the ecclesiastical novelties which St Margaret's influence gently thrust upon Scotland, were accepted in Ireland by the Synod of Cashel (1172) under Henry II. Yet there remained, in the Irish Church, a Celtic and an Anglo-Norman party, "which hated one another with as perfect a hatred as if they rejoiced in the designation of Protestant or Papist."[21] This form of hatred Scotland was happy enough to escape, though we do find a movement against English clergy, in the stormy six months of Sir William Wallace.

Malcolm Canmore had two brothers, Donald Ban (from whom, in the female line, descended the Red Comyn) and Melmare. By Ingebiorge he left, at his death, only Duncan, the hostage in

England, taken by the Conqueror in 1072. Of surviving sons by St Margaret he had Eadward, his Tanist or appointed successor, who fell in the fight on Alne; Eadmund; Ethelred (lay Abbot of Dunkeld); Eadgar; Alexander; and David.

In Cumbria, and wherever the Northmen were in force, Duncan, Ingebiorge's son, would have a chance to be looked on as heir of the crown. On the other hand, the Anglo-Scots, so to say, of Lothian, would prefer the eldest surviving son of St Margaret, Eadmund.

The Celts again, or Celts and Picts (if not romantically engaged for one of Lulach's House of Moray), would stand for Malcolm's brother, Donald Ban, according to their ancient prepossession, or customary law, in favour of brothers. St Margaret the Celts probably regarded as a meddlesome Englishwoman, and they did not love her sons. These Scots, then, in the old sense of the word, these Celts, selected Malcolm's brother, Donald Ban, and drove out the English friends of the late king and queen. The situation thus created suited William Rufus excellently well. He could put forward Duncan, Malcolm's eldest son, as the natural lawful heir, and Duncan, long trained in English court ways, was not likely to be scrupulous about oaths and homages. "Such troth," says the English Chronicle, "he did as the king would have of him."[22] With English and Norman aid, he succeeded in driving out Donald Ban, but was himself slain, six months later, by the men of Mærne and their Mormaor, Malpeter MacLoen, while Donald Ban was restored. Donald now reigned north of Forth, while Margaret's son, Eadmund, appears to have ruled in Lothian, probably by arrangement with Donald. He is accused of having had a hand in the death of his half-brother, the Anglicised Duncan. Finally Eadgar Ætheling, for once actually doing something, brought in his nephew, St Margaret's son Eadgar (1097), by the strong hand. Eadgar appeared as vassal of William Rufus, says the English Chronicle, and Mr Hume Brown cites a rather disputable charter to this effect.[23] He put out the eyes of his uncle, Donald Ban; Eadmund died in an English cloister, and, by his own desire, was buried in chains. For the family of a saint, that of St Margaret behaved in a style remarkably mundane.[24]

EADGAR (1097-1107). — Eadgar's accession, and reign of ten years, ended the Celtic line in Scotland. Since Donald Ban, no Celt in both lines has sat on the Scottish throne. English and

Normans now flocked in, and obtained the best of what Eadgar and his successors had to give. The long process began by which English brewers, soap-boilers, and upholsterers sit in the seats of Macdonnells and Macphersons.

The early part of Eadgar's reign was troubled by the Northmen. Magnus Barefoot, King of Norway, had found his lieutenants, in the Western Isles, disturbed by Celtic insurrections. He subdued the Isle of Man, and is said to have extorted from Eadgar the cession of the Western Isles, including, as it seems, the peninsula of Kintyre. For more than a hundred and fifty years these territories were Norwegian, not Scottish, in spite of occasional insurrections. Probably the blood of the West Highland chiefs, Macdonnells, Macdonalds, Macleods, "sons of the kings who in Islay held state," is, in a considerable degree, Norse, though, of course, the chiefs were Celticised in speech, and, to a great extent, in character.

We must here steadily remember the mixed blood and uncertain tenure of the sons of Malcolm. Partly English, partly Celtic, they held Scotland south of Forth and Clyde by an indefinite sort of vassalage to England, or at least by English aid. The west Isles and extreme north were possessed by Norwegians. Great Celtic provinces, like Moray, were ready for revolt, whenever a Pretender appeared, as Alexander I. was to learn. The Church, to an indistinct degree, and always under protest, was by England regarded as dependent on York, or on Canterbury.

It was hard to make a free and united kingdom out of such vague and conflicting elements. Eadgar, calling himself *Rex Scotorum*, addresses his subjects as "Scots and English." His court, or at least the chief functionaries, bear English names. His sister, Eadgyth, called Matilda, was married in 1100 to Henry I. of England, who thus bequeathed to his house the blood of Alfred on the female side. It was as if George I. had married Louisa, "the child of consolation," the young daughter of the rightful king, James II. The English were now to have a Royal race partly of English descent, and the English marriage of their sister must have knitted closer the ties between Malcolm's half-English sons and England. Edinburgh was Eadgar's seat, on the border of his English Lothian, and in Edinburgh he died, in January 1107. His disposition of his kingdom shows the uncertainty of his posture. His brother Alexander I. only received Scotland north of Clyde and Forth, including Edinburgh. David, later David I., who long re-

sided at his sister's English Court, got Lothian and Cumbria, with the title of earl. Mr Skene makes the probable conjecture that this arrangement was intended to evade English claims on "Scotland of the Scots."

ALEXANDER I. (1107-1124). — Alexander I. married Sibylla, natural daughter of Henry I.[25] According to Fordun, Alexander received the name of "The Fierce," for his retaliation on the Celts of Moray and the Mearns, who attacked him, at Invergowrie hard by Dundee, and nearly took his life. He in his turn assailed the Celts, posted on the Spey, or on the Moray Firth. His standard-bearer, Alexander Carron, plunged into "that wan water," led the force to victory, and received the name of Scrymgeour. The Scrymgeour-Wedderburns are still hereditary banner-bearers of Scotland.[26] After his victory, pursued as far as Ross, Alexander founded the Monastery of Scone, with canons regular of St Augustine from Yorkshire, and endowed it with the lands of Lyff, where his Celtic subjects gave him such a warm reception. English canons, like those introduced by Alexander, after this Gaelic tumult, were to extrude more and more the Celtic churchmen. The see of St Andrews had lain vacant since 1093, when the last Celtic bishop died.[27] To the vacant see, Turgot, St Margaret's late confessor and biographer, was elected on June 20, 1107. But who was to consecrate him? In 1072, Lanfranc of Canterbury, and Thomas of York, had agreed that York should be supreme from Humber to Cape Wrath. Alexander temporised. Turgot was, by the Archbishop of York (Mr Robertson says, by the Bishop of London), consecrated at York (1109), "the right of both sees being reserved." He found that St Andrews was "not a peaceable friendly place," as there was a strong leaven of Celtic Culdeeism, while Alexander would not permit him to go to Rome, and plead his case there. The Scottish kings, indeed, held their own well in the great struggle between the Popes and the State. Turgot, therefore, retired to Durham, where he died in 1115. Alexander artfully applied to Canterbury for a successor, to keep alive the old York and Canterbury quarrel, which, while it lasted, made for the ecclesiastical independence of Scotland, by adding to the general vagueness of her relations with England. The see lay vacant till 1120, when Alexander selected Eadmer, a monk of Canterbury, whose consecration, or rather accession, was of the vaguest. Alexander gave him the

ring, he took the pastoral staff from the altar.[28] These he soon resigned, finding St Andrews a difficult see for an English bishop, especially as he professed to be subject to Canterbury. In 1123, Robert, prior of the new English canons at Scone, was consecrated Bishop of St Andrews by the Archbishop of York, the rights of both churches being reserved. Alexander now gave back to the Church the traditional *Cursus Apri*, or "Boar's Course," a tract of land which may perhaps derive its name from the time when the promontory was called, in Gaelic, *Mucross*, "Cape of Swine." The curious ceremony of leading the king's Arab horse to the altar is familiar, from Wyntoun's description. The arrival of Robert at St Andrews meant the end of the Culdees' power; they were succeeded by Augustinian canons, as has been shown, but long persisted in maintaining their right to elect bishops. David, in his province, had founded the Bishopric of Glasgow, on which York made the usual claims. These were dismissed by Pope Alexander III., in April 1174, and the Scottish clergy remained the most tenacious assertors of national independence.

Alexander died at Stirling, on April 25, 1124, an astute and resolved prince, an independent patron of the Church, and the first to introduce charters north of Forth. In a sense, Alexander is the last of the Scottish kings who relied mainly on the Celtic and *old* Anglo-Norse element. Of this an example may be given. We have heard how he founded the Monastery of Scone. It had, in Robert, later Bishop of St Andrews, an English prior, and was of the English ecclesiastical character. But the names of Alexander's earls who attest the charter of Scone are Celtic, such as Heth of Moray, who married the daughter of Lulach, the sister of Mailsnechtan, the rightful heir of the nameless son of Boedhe murdered by Malcolm II. There were also among the witnesses Madach of Athol, Malise of Strathearn, Dufagan of Fife, and Gartnach, and Rory (of Angus, Buchan, or Mar?).[29] Now, when Alexander's successor on the throne, David, founds Melrose, we note that *his* noble companions who attest the charter are not Celts. They are Moreville, Umfraville, Somerville, Riddel of Riddel, Gospatric: Bruce, Fitzalan (*i.e.*, STEWART) are also of his *entourage*, with men of English names.[30] To be sure, Scone lies northward, is in Perthshire; Melrose is in a southern Anglicised region, on Tweedside. But Perthshire also was soon, like most of the North, to have her Anglo-Norman earls and barons.

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DAVID I. (1124-1153).—With Alexander Celtic dominance ends; with David, Anglo-Norman and English dominance is established. David was the last surviving son of Malcolm and Margaret. He had ruled southern Scotland in Anglo-Norman fashion. He had been educated in England under Norman teachers. He had married Matilda, widow of Simon de St Liz. She was, unfortunately, heiress of Waltheof, at one time the Conqueror's earl in Northumberland. The English king had lately kept Northumberland in his own hands, but David persistently strove for this part of his wife's heritage "that should have been." His only son, Henry, held Northumberland later; his grandson, Malcolm the Maiden, resigned it. To recover it, Malcolm's brother, William the Lion, made war, was taken captive, and became England's vassal for Scotland itself. Not till the reign of Alexander II. was the Scottish claim on Northumberland to be compromised and closed. Unhappy, indeed, was the heritage of the brave and martyred Waltheof, a standing cause of feuds and wars. David, in his day, carried his frontier to Eden and Tees: could his children's children have maintained it, Scotland had been England's equal; but blood was shed, and money was spent in vain.

In marrying Matilda, David did receive the Earldom of Huntingdon, in addition to his fatal "running plea" for Northumberland. Thus an Anglicised Earl of Huntingdon succeeded to the Scottish crown of Alexander.[31] David's Norman and English tendencies are everywhere conspicuous. Mr Skene points out that, in David's gifts of lands to churches before his succession, eight of his witnesses are English and fourteen are Normans. Only one Celtic witness, Gillemichel ("Servant of St Michael"), represents the ancient race. Among witnesses of his charters appears the Norman Robert de Brus, holding wide lands in Annandale. There is also, as we saw, Gawain Riddel, "Riddel of Riddel," that ancient family of Teviotdale, dispossessed of its "wide domain" in the present century. David's charter to Dunfermline mentions the acquiescence of his "bishops, earls, and barons, clergy and people"; and "the old traditionary earls of the Celtic kingdom," representatives of the Mormaors, appear as witnesses only.[32]

Thus feudalism, Englishmen, Normans, Norman ideas came in more and more under David, while Celtic men and ideas retreated to their congenial glens. But in 1130 the Celts rose, and the circumstances of their rising are perplexed. In Alexander's time Heth,

earl of the turbulent province of Moray, had been one of the signatories of the king's grant to Scone.[33] His sons (according to Mr Robertson's view), during the absence of David in England, asserted claims to the Crown, they having been borne to Heth by a daughter of Lulach, the ward of Macbeth. Thus theirs was "the old quarrel" of Celtic legitimism and the line of Moray.[34] Heth's son Angus is spoken of by the contemporary Ailred as possessed by hatred of the royal family, a sentiment shared by his brother Malcolm. We can easily detect the origin of this dynastic hatred in Angus, son of a daughter of Lulach.[35] The Constable of Scotland, the king being absent in England, defeated the Celts near the North Esk. In the battle Angus, son of Heth, Earl, or *ri*, of Moray, fell, but Malcolm, his brother, escaped to wage a guerilla war with increasing forces. David now called in the aid of his Norman and English friends under Walter Espec; they assembled at Carlisle, and Malcolm MacHeth, betrayed by his Celtic adherents, was imprisoned in Roxburgh Castle. David now declared Moray forfeited to the Crown, and granted parts of what had always been a province but half subdued to his English, Scots, and Normans.[36]

The beginning of the reign, or anarchy, of Stephen, consequent on the death of Henry I. (1135), led to war between David and England. Henry I. had tried to secure, by taking oaths from Stephen, David, and other possible claimants, the succession of his daughter, the Empress Matilda. Her claim, on modern principles, was beyond doubt or contention, but these principles were not yet evolved. The oaths of Stephen were as straw in fire, were as futile as the Pragmatic Sanction in favour of Maria Theresa six hundred years later. Not Matilda, the daughter, but Stephen, the nephew, of Henry, was elected and crowned in England. Whether out of affection to Matilda, his niece (daughter of his sister), or out of regard to his royal oaths to stand by her, or in the hope of getting some additional territory in the confusion, or from a mixture of all these motives, David led an army over the Border. The fortified towns of Cumberland and Northumberland did not resist him[37] except Bamborough, for the North may have been naturally favourable to the claims of Matilda. Stephen, however, marched very promptly with a huge force to stop David in his progress southward. In February 1136 the two kings came to terms at Durham without drawing sword. David did not become Stephen's "man"—refused to hold fiefs of him—out of respect for his oath to Matilda; but his

son, Prince Henry, received from Stephen "the Honour of Huntingdon, Carlisle, Doncaster, and all that pertain to them."[38] The other castles which had submitted to David were restored to Stephen. According to witnesses who were present, Stephen promised that if ever he made a gift of the earldom of Northumberland he would give a fair hearing to Prince Henry's claims on it, the prince being descended, through his mother, from the Conqueror's earl, Waltheof.

In the Easter following (1136) Henry left Stephen's court in consequence of a quarrel about precedence, and relations with England became less friendly. In 1137, during Stephen's absence in Normandy, David prepared an invasion; but the Archbishop of York induced him to interpose negotiations. David now claimed Northumberland for Prince Henry. Stephen would not listen to this demand, and in January 1138 David's nephew, William Fitz-Duncan (son of Duncan, Malcolm's first-born), led the Galloway levies over the Border. Checked by Wark Castle on Tweed, they began to plunder the country; and David followed in full force. Some raiding by both parties ensued. Stephen advanced; David, retreating on Roxburgh, laid an ambush; Stephen, evading it, harried the Merse; but Lent caused an armistice. David next took Norham, a place on the Tweed of great apparent strength, but failed at Wark and Bamborough. Fitz-Duncan raided the North, and won a battle at Clitheroe on Ribble with his light-armed Galloway men. David now marched south, with a huge force of incongruous elements, drawn from Orkney, Lennox, Lothian, and Celtic Galloway.

The Archbishop of York now proclaimed a holy war,[39] and Robert de Brus—David's friend—Bernard de Balliol, Walter Espec, and other Norman lords, many of them David's late allies against Malcolm MacHeth, gathered the knightly forces of the North, and Midlands. Priests carrying saintly relics roused the English population, already exasperated by the odious outrages of the wild Galloway men. These (*when* is not clear) claimed a right to lead the van, despising David's full-armed Normans. A quarrel nearly broke out between Malise, Earl of Strathearn, and Alan Percy. David, for the sake of peace, conceded the Galloway claim, and, after a futile attempt at a surprise, the famous Battle of the Standard was fought on August 22, 1138, at Cowton Moor, near Northallerton. The great standard or gonfalon of the English, with store of relics, and surrounded by banners of English saints, was the

centre of the Southern array. Before men came to blows, Brus and Balliol, in a conference with David, made an effort for peace, or to gain time. David, they told him, was leading his real foes, the Galloway Picts, against his real friends, the Anglo-Normans who had relieved him of Malcolm MacHeth. But William FitzDuncan struck in angrily, and broke up the conference, Brus and Balliol renouncing their allegiance to the Scottish king.

A vivid account of the Battle of the Standard is given by the learned Æthelred, or Ailred, Abbot of Rivaux, a man who wrote respectable Latin for his age. After telling how the Anglo-Norman army was small but well equipped (they had trained Norman soldiers), and how David's own friend, Robert de Brus, stood for the South, and for the Standard with its relics, he puts a thoroughly Norman speech into the lips of old Walter Espec. The oration, like those of Livy and Tacitus, may be mainly or wholly Ailred's own composition. It shows at least what, in the eyes of a peaceful man like Ailred, seemed stirring topics. "To us, from of old, victory is granted as a fief. This England, that resisted Julius Cæsar, we have swiftly dominated. We have seen the back of the King of France: Apulia, Calabria, Sicily, we Normans have subjugated. Either emperor fled from us, on one day, at one hour. Who would not laugh rather than fear when the wretched bare-breeched Scots come up against such adversaries! What are these naked men to steel-clad Normans, their leather targes to our lances, their recklessness of death to our reasonable valour? Strike their long spears with a staff, and you disarm your Scots." He then rehearsed the cruelties of the Galloway men, the tossing of children on spears, the unspeakable horrors committed by these "Picts." "It is a war of men against beasts. Before *them* go jugglers and dancers; before us, the Cross of Christ, and the relics of His saints. We fight for a king whom the people desired, whom the clergy chose, whom the Archbishop anointed, whom the Holy See confirmed,"—and who was a common perjurer, as Walter Espec did not think fit to remark.

The horses were then removed and placed under a guard, "that nobody might ride away." Probably the real motive was a sense of the superior defensive force of infantry, later to be proved in the Hundred Years' War. On the Scottish side, the Picts of Galloway were confusing counsel by demanding pride of place. Armour, they cried, was an impediment rather than a protection. At

Clitheroe they, bare-breasted, had beaten these harnessed men. David, for the sake of union, assigned the first line to his Galloway Picts. His son Henry, with men-at-arms, archers, Cumberland, and Teviotdale, took the second line. In the third line were Lothian, the Islemen, and the Lennox; but the Scots (probably Highlanders of the East, Atholl and Mearns men) and the Moray contingent, with certain English and Normans, were commanded by David himself.

The dismounted Anglo-Normans formed in one solid forest of spears and serried shields. The trumpets sounded, the Galloway men, under Donald and Ulrig (probably a Kennedy), came on with three yells, drove in the first English rank (as the Stewarts and Mackintoshes broke Barrel's regiment at Culloden), and died, like the Mackintoshes and Stewarts, on the points of the second line, and under the rain of arrows.

Then the Prince of Scotland with his cavalry burst through the body opposed to him, passed the Standard itself in pursuit, scattered the English horses, and chased their guard far from the field. All seemed lost for England, when (it is said) some old soldier picked up a head of a man, and cried that it was the head of King David! The Galloway Picts ran, Lothian broke, David in vain showed his unhelmeted head beneath the Dragon standard of Wessex, and tried to check the rout. The Prince found himself almost alone and surrounded. "We have done all that men may do," he said, smiling, "and have conquered as far as in us lay." His rout of the horses had at least diminished the English power of pursuit. Then, throwing down their distinguishing colours, the Prince and his men feigned to charge with the charging English, and so escaped. David made a kind of running fight to Carlisle, where he was safe; the prince rejoined him on the third day.[40]

In Ailred's description we are struck by the chivalrous tone of the narrative. Froissart, writing as a disinterested spectator, could not have spoken with more enthusiasm of the Prince of Scotland—Henry, David's brave, beautiful, and gentle son — than does this English witness. Again, the speech of Walter Espec is expressly and solely addressed to the Norman warriors, a singular thing, if the mass of English billmen and bowmen were listening. The form of the oration at least is Ailred's own, yet he, a man of English name, and presumably of English blood, clearly puts his heart into the ringing sentences, as if the English were proud of their Norman

aristocracy, by whom to have been defeated is no disgrace, "for victory is given in fee by God to His Normans."

On the Scots side it is the old story, often fatally repeated, the struggle for pride of place, as at Culloden, the jealousies, the desperate charge of half-armed men, fierce as "the Scottish Furies" of Fontenoy; kilted men, presumably, judging from Walter Espec's sneer at their half-clothed hurdies; men shielded only by "the target of barkened bull's hide."

Though he had the worse of the fighting, David did not lose heart. Carlisle, which William Rufus had rebuilt, afforded him a safe base. He was renewing the siege of Wark when the Bishop of Ostia, the Papal Legate, arrived, bringing with him William Comyn, the Scottish Chancellor, who had been captured at Northallerton in the Battle of the Standard. The Legate, seeing the devastated condition of Northumberland, implored David to make peace with Stephen. He had come on other business, to announce the end of a schism by the death of the Antipope. But the Legate conceived the securing of peace among Christians to be part of his duties, and on that errand he returned from David to Stephen. Meanwhile, the commandant of Wark received orders to surrender from Walter Espec, and the garrison, re-horsed by David, marched out with the honours of war. Aided by Matilda, the queen of Stephen, the Legate turned the English king to peaceful ideas, and in April 1139 she and the prince of Scotland, her cousin, met at Durham. The prince received investiture of Northumberland (saving Newcastle and Bamborough), and so secured the chief object of David in going to war.[41]

At Stephen's court Prince Henry was popular. He married Ada, youngest daughter of the Earl of Warrenne, a Stephenite. Prince Henry, both by marriage, and by affection for his cousin, the English queen, was thus inclined to Stephen's faction in England. But David, his father, when the *other* Matilda, the Empress, came to England, and when Stephen was defeated at Lincoln, took the Empress's part, and rode with her into London (1141). David was involved in her failure, at Winchester, where he was rescued by his godson, David Olifard, serving in the hostile army. As Oliphants, the kindred of David Olifard still enjoy the reward of the grateful Scottish king, and, in the House of Gask, have a notably loyal record. In 1149, Henry FitzEmpress, later Henry II., arrived at Carlisle, and was knighted, promising, if ever

he became king, to confirm to David and his heirs the lands between Tweed and Tyne. But Henry was obliged to leave England, and there was no outbreak of war with Stephen: David stopping short at Carlisle, deserted by the Earl of Chester, whom he had bought, but Stephen overbid him in the bargain. Stephen did not advance beyond York.[42]

Thanks to the troubles of Stephen's reign, David was now master of England, as far south as the Tees, with a promise of continuance in that possession, if Henry Fitz-Empress succeeded to the English throne.[43] But this unexampled propotency of Scotland was doomed. The death of Prince Henry (June 12, 1152) ended all, or endangered all. The acquisitions and the policy of David were to come into the hands of a grandson, Malcolm, still a minor. Among princes of promise, Henry is probably he whose promise gave the best hopes of fulfilment. Even the English chroniclers bewail him, as if he had been the Bayard or Sir Philip Sidney of his age. He had been tried in war, where his courage was chivalrous and steady, while in peace he was like his father, but of milder mood (*paulo suavior*).[44] Ailred knew the Prince intimately. "We grew up from boyhood together," he writes; "as a youth I knew him, a youth himself, whom I left in the body; that I might serve Christ, but never left in loving memory."

Henry's eldest son, Malcolm, was born in 1142; William (the Lion), and David (Earl of Huntingdon), followed each other at intervals of a year. Thus Malcolm was but a child of ten when his father died. Now, that a grandson should immediately succeed his grandfather, as Malcolm must succeed David, was a thing almost unknown in Scotland, where the system of Tanistry had so long provided an adult to fill the throne. Tanistry, indeed, had it endured, would have saved Scotland from the curse of many long minorities. Yet the fortunes of the dynasty of Kenneth MacAlpine prove that this apparent gain would only have been won at the expense of internal war and family crimes. In the crisis caused by the death of Prince Henry, David's care was to secure the succession for Henry's son, Malcolm. He seems, however, to have called no Parliament, as Alexander III. did later in similar circumstances. He sent the boy in a kind of royal progress through his territories, getting him acknowledged as heir, while the still younger grandson, William, was carried by David to Newcastle, to receive the homage of the Northumbrians. In the following

year (May 24, 1153), David died at Carlisle, leaving a reputation for virtue and benevolence to the Church, stained only by the cruelties of his wild warriors in England.

"A sair saint to the crown," by his ecclesiastical generosities, he is not, of course, a saint in the Calendar. Alexander's and David's bishoprics, such as Glasgow, Moray, Aberdeen, Ross, Caithness, Brechin, Dunblane, and Galloway, stocked Scotland, if we may use the phrase, with bishops, and simplified the old difficulties about ordination. These must have been felt when a Bishop of Orkney, obviously consecrated by the Archbishop of York, was preaching an English Holy War, at the time of the Battle of the Standard. The Lowland abbeys founded by David, as Holyrood, Melrose, Jedburgh, Kelso, Dryburgh, and others, were centres of letters, tillage, and nascent civilisation. In art, of course, Scotland was now perhaps more civilised than it has ever been since, where art is concerned.[45] David's attachment to Anglo-Norman friends was, partly, a matter of taste; partly, too, he found them useful against his Celtic subjects. They were the examples and sources of such European culture as reached Scotland. His policy, naturally, and for the first time, removed the centre of the kingdom from the country between Spey and Forth to the Lowlands. In Strathclyde and Lothian land was, apparently, "in direct dependence on the Crown,"—here he could settle his Normans. They proved, as was to be expected, very shifty patriots in times soon to come, if, indeed, "patriotism" can be spoken of at all in connection with such cosmopolitan settlers. It is justly said (as will later be shown in detail) that "southern Scotland was the creation of David." He introduced his Norman and English friends, with their civilisation. He founded abbeys, he aided burghs, he encouraged art and agriculture, he was "the Commons' King," he brought Scotland within the circle of European chivalry, manners, trade, and education. Malcolm, David's grandson, a boy of eleven, was crowned at Scone. There followed a mere repetition of the stereotyped sequence of facts.

David was no sooner dead than the Celts of the North were up in arms for a *prétendant*.[46] This was one of the sons of Malcolm MacHeth, by a sister of Somerled MacGillebride, a powerful lord of Argyll.[47] On November 1, 1153, the Celtic civil war began, and rolled through the mountains of the west. But Somerled was diverted by other ambitions. He is a person of high importance,

for his descendants, as Lords of the Isles, were heads almost of a distinct Celtic nation, allies often of England, and usually thorns in the side of Scotland.

His story runs thus: About 1112-1152, the king of Man, of Norse blood, was Olaf, a "devout and voluptuous" prince, unworthy of his lineage. While Olaf's son, Godfrey, was absent in Norway (1152), seeking confirmation from the Norwegian king of his father's claim over the Isles, Olaf was killed in a family feud. Godfrey succeeded him, however, in Man (1153), and provoked the hostility of Thorfin, one of his subjects. Thorfin had recourse to Somerled of Argyll (1156), who had married a sister of this Godfrey Olafson, now king of Man. To Somerled Thorfin offered to put one of his sons (as being on the mother's side royal) on the throne of the Isles. Succeeding in a sea-fight, Somerled obtained the Southern Hebrides, and even won the Isle of Man. This was a more tempting adventure to Somerled than the cause of his sister's son by Malcolm MacHeth, the claimant of the Scottish crown. That nephew, Donald MacMalcolm MacHeth, began his adventure in 1153, but being deserted by Somerled in 1156, was soon locked up with his father in Roxburgh Castle. His affair had lasted from Malcolm's accession in 1153 to 1156. He and his father were later released, and are found at young Malcolm's court: they are all but the last of the House of Moray. But Somerled was to give more trouble.

Soon after the collapse of Donald MacHeth, Henry Fitz-Empress, now Henry II., revoked his promise of securing Northumbria to the heirs of David. As a boy he had made the promise: from a boy, in turn, he took away what he had vowed to bestow. Malcolm, unable to resist, resigned the three northern counties, with Carlisle, Bamborough, and Newcastle, and was invested, at Chester, with the Honour of Huntingdon. The glory of David had passed away.[48] In 1159, Malcolm accompanied Henry to the siege of Toulouse, and was knighted by the English king at Tours.[49]

Malcolm's absence with Henry, and perhaps public disgust with his concessions, gave occasion to a conspiracy among his nobles. The affair is obscure, but Malcolm quelled his adversaries, and brought Galloway, always turbulent, and almost independent, into subjection. In 1164 he had to repel a Celtic invasion under Somerled, who was slain at Renfrew, Celtic tradition says, by treachery. His invading force consisted of 160 ships, partly

from Ireland, yet he is said to have been defeated by a small local band.[50]

Probably of mixed Norse and Celtic blood, Somerled MacGillebride had been making a bold bid for Celto-Norse supremacy. Soon after his death, Man fell again into Norwegian hands, as did the Northern islands. The affairs of his sons, Ranald, Dougal, and Angus, must be treated elsewhere.[51] The genealogies are matters of dispute among Sennachies; it is certain that Somerled made the Isles and western mainland Celtic, rather than Norse, in the long-run; and that chiefs claiming descent from him for long endeavoured to preserve an anti-Scottish Celtic nationality. Their political activity "against the Government" does not cease till, in 1751, Young Glengarry becomes the secret agent of Henry Pelham. So long endured the "anti-Governmental" vigour of the sons of Somerled.

Galloway subdued, the Celts of the Isles defeated, Malcolm (called "The Maiden" for his beauty[52]) died in 1165, aged twenty-four years. He was succeeded by his brother, William the Lion.

WILLIAM THE LION (1165-1214).—To recover the Northumbrian province, which the youth of Malcolm and the wavering faith of Henry II. had lost for Scotland, was the purpose of William the Lion. With an eye, doubtless, to this end, he began overtures for a French alliance, the dawn of the Ancient League, whence Scotland won much honour, and much sorrow in days to come.[53] In 1170, in the stress of his feud with Thomas à Becket, Henry contrived a piece of Tanistry on his own account. He had his son Henry consecrated as future king, at Westminster. William the Lion, and David his brother, now became young Henry's "men," saving their fealty to Henry II.[54] In 1173, young Henry conspired with Louis of France against his father.[55] He offered Northumberland to William, as the reward for assistance against Henry II., and William took the bait. He held, at this time, the Castles of Stirling, of Edinburgh (*Arx Puellarum*), of Jedburgh, Berwick, and Roxburgh, with those of Annan and Lochmaben, "which were castles of Robert de Brus."[56] It appears from this fact that Anglo-Norman barons, like Bruce, had already imitated their southern peers, in building castles on their Scottish estates. Immediately after Easter (March 31, 1174), William, though he received 300 merks in silver from the lands of the Northumbrian barons, invaded that province, where, if we are to

believe Henry of Huntingdon, his Celts and Galloway men acted with fiendish cruelty, slaying children, pregnant women, and priests at the altar.[57] Meanwhile William sent his brother David to join the rebellious English barons at Leicester, while he himself besieged Carlisle. Leaving a force to watch the place, he devastated the lands of loyal English barons in Northumberland, and took Nicholas de Stuteville's castle of Hermitage on the Liddell.[58] Taking other castles, William went back to Carlisle, which was to surrender if not relieved by a given date. William then besieged Prudhoe, where he had news that the levies of Yorkshire were marching against him, under de Vesci, Bernard de Balliol, d'Umfraville, and others. He now separated his army into raiding bands, and besieged Alnwick Castle, while his leader, FitzDuncan, committed the stereotyped atrocities at Warkworth.

The Yorkshire barons pushed boldly on by a forced march from Newcastle, which they left in a heavy morning mist (July 13): so thick was the air that some were for returning. Balliol, however, insisted on an advance; they passed unseen by Warkworth, then beleaguered by the Scots, and, when the cloud lifted, found themselves near Alnwick Castle, which was in friendly hands. Thither they rode, when they beheld a party of knights tilting in a meadow.[59] It is like a scene in the 'Morte d'Arthur': the blind advance in an unknown enchanted land, the apparition of the castle above the breaking cloud, the sun shining on the armour of the strange tilting knights. To them the Yorkshire horsemen seemed part of one of their own scattered companies; but when William marked the English cognisances, he—for he was one of the Scottish tilters—rode straight at the ranks of England. His horse was pierced by a spear, and the greatest prize of feudal warfare—a hostile king, with his lords of Norman names—was taken. The joyful news reached Henry, who had hastily returned from France to London, on the 18th. Henry sorely needed comfort. He had, on his return, been flogged at Canterbury by way of penance for the slaying of Thomas à Becket, and now came the Lion's capture as a sign that the saint had forgotten old scores, and was friendly. "I have never had luck since I was reconciled to my Maker," said the Voltairean William Rufus. Henry was more fortunate, and more pious.

William, his legs bound under his horse's belly, was taken to Henry at Northampton.[60] He had now outdone the rashest of his successors in chivalrous folly. Scotland reaped the reward.

The Galloway lords, never trustworthy, did fealty to England, after killing the English and Normans among them.[61] Galloway was still Celtic in speech and heart. The Scots drove out David's English burgesses, who had been introduced to civilise them.[62] Henry put down his own rebels, and carried William to Falaise, the cradle of the Conqueror. There William lay in irons (for chivalry was hard on valuable prisoners[63]) till terms of release were concluded in December. He, his brother, his barons, clergy, and all, were to be vassals and liegemen of Henry. The Church, in like manner, was to be subject to that of England. English troops were to hold the castles of Edinburgh, Stirling, Berwick, Roxburgh, and Jedburgh. David of Huntingdon, and twenty-one lords, were to be hostages to England. Then William was allowed to leave Falaise, and live in England till the castles were handed over. Henry II. had, by the treaty extorted from William, acquired all that the traitor Earl of Angus was to promise to Henry VIII. four hundred years afterwards.[64] In August 1175 the leading Scots did fealty to Henry at York. For fifteen years William was the tame vassal to Henry (attending his lord's court on summons) that even John Balliol refused to be to Edward I.

It is most important to observe that for fifteen years after the Treaty of Falaise Scotland really was in actual feudal subjection to England.[65] William was summoned by Henry to Normandy to submit to his decision on an ecclesiastical question—and he went! Before he could even subdue a Galloway rising, William had to receive licence from Henry. His Galloway lords, when put down by him, were bound to accept the decrees of the English court. Such a state of matters, manifestly and undeniably, had never existed before the Treaty of Falaise. Such a state never recurred (even in Balliol's day) after Richard Cœur de Lion renounced that treaty. John Balliol himself found such terms too hard, and kicked, to his ruin, against the pricks. It seems to follow, therefore, that Scotland never had been a true feudal dependant of England at all, except under a treaty, that of Falaise, which held only for fifteen years, and was then abrogated.

In spite of the admission of the Bishops of St Andrews and Dunkeld, in the Treaty of Falaise, that the English Church "should have what she ought to have," they kept to the opinion that what she ought to have was just nothing at all. In 1176, at Northampton, the Scottish prelates maintained that they never had been,

and were in no way bound to be, obedient to the Church of England. Only the Bishop of Galloway dissented, Galloway keeping up her idea of independence. The Archbishops of York and Canterbury then fell to their old quarrel about superiority over the Scottish Church; and the Scottish prelates (as they often proved later, from Lamberton to Cardinal Beaton) were the last and boldest defenders of national freedom. The independence of their Church was later assured by a decree of Clement III. in 1188.[66]

The question of the age, the question of the supremacy of Church and State, now reached Scotland in a dispute as to William's claim to appoint his confessor, Hugh, to the bishopric of St Andrews (1178-1180) in preference to John Scot, the man selected by the chapter. The Pope took the side of John Scot and the clergy; William banished their nominee; the Archbishop of York, the Pope's Legate for Scotland, was authorised to lay the country under an interdict, but William held his ground. It would have been well, in far-off years that were to be, had James VI. as resolutely bearded his recalcitrant preachers. Happily for William, the Pope and the Archbishop of York (who claimed superiority over the Scottish clergy) both died in 1181; the new Pope absolved William, and even gave him the Golden Rose.[67]

The captivity of William caused, among other internal tumults, a reassertion of the independence of Galloway, which had been destroyed by Malcolm IV. One Galloway chief, Gilbert, blinded and mutilated his brother, and tried to make separate terms for himself with the English king. Henry gave William licence to seize this ruffian, whom, when presented to him, Henry dismissed with a fine, and the taking of an oath of fealty. Gilbert used his new opportunity, as perhaps he was intended to do, and declared his independence of William. He drove out all strangers; he prevented Galloway from following the Anglo-Norman ways of the rest of southern Scotland.

It is curious to observe how the troubles of William, and of other Scottish kings before and after him, resemble those of the monarchs in more recent days. Clerical feuds, of course, are common to all periods, but Galloway was hardly more of a curse to William than to Charles II. and James II.; while to William, as to the early Hanoverian princes, the Highlands, with their *prétendants*, were a ceaseless fountain of annoyance.

The new fire-brand, under William the Lion, was a son of his

father's war-leader—namely, Donald Ban MacWilliam, son of that William (son of Duncan, son of Malcolm Canmore) who rejected the overtures of de Brus before the Battle of the Standard. This claimant therefore, though of Celtic descent, did not represent the blood of Lulach, the ward of Macbeth. His standard was raised in the North, the men of Moray flocked to it, and he had the backing of earls and barons.[68] William the Lion, meanwhile, as a vassal in the strictest sense of the word, was retained at the court of Henry (1181). Obtaining leave to go North, he pushed Donald Ban MacWilliam into Ross, and, soon after, was vexed by Gilbert in Galloway. So far were the incoherent elements of early Scotland from being fused into a homogeneous kingdom, so strenuously did Celts of North and South contend against the Anglo-Norman King of Scotland (1184). Instead of pursuing his feuds with MacWilliam in the North, and Gilbert in the South, William now found it politic to attend Henry's court, and sue for the hand of his distant cousin, Matilda, daughter of the Duchess of Saxony. The new holder of the Honour of Huntingdon (which, of course, William had forfeited when he was taken at Alnwick) had died, and the Scottish king hoped to be restored to the Honour. In his marriage project he was unsuccessful; but the Honour he received, making it over to his brother, David, shortly after the opportune death of Gilbert of Galloway (1185). The lordship of Galloway was now seized by Roland, son of the brother whom Gilbert had mutilated and murdered. After some demur, Henry confirmed Roland in Galloway (he was an Anglo-Normanised Galwegian, who was at war with the contemporary Kennedy), while Duncan, son of the ferocious Gilbert, was compensated by the earldom of Carrick. William now married Ermengarde de Bellomont (1186).

In the following year was settled Donald Ban MacWilliam, who had taken advantage of all these diversions to increase his power in Moray. The Scottish king marched as far as Inverness, but here disputes arose among his following. Happily Roland, the new lord of Galloway, was loyal; he led his forces out of Inverness, he met Donald, and Culloden was rehearsed on the moor of Mamgarvy. The *prétendant*, Donald MacWilliam, fell in battle; but the claims of the line of Duncan, Malcolm Canmore's eldest son (by Ingebiorge), were not yet disposed of. The son of Donald Ban was "out" in 1211, but was taken and hanged in 1212. In 1215, under Alexander II., a MacWilliam and a MacHeth were out

together. These MacDuncan MacWilliams did not, of course, we repeat, represent the MacHeths and the line of Kenneth MacDuff. But they were *prétendants*, at all events, if only as heirs of Malcolm Canmore's eldest son, and so were a centre of the chronic Highland disaffection to a royal house now practically English.

William now began to show some independent spirit. In 1188, Henry demanded a tithe from Scotland, "the Saladin tithe," and sent the Bishop of Durham to collect it. He came as far as Birgham, near Tweed, where William met him in force, and informed him that his barons would not pay him one penny.[69]

In 1189, Henry of England died at Chinon, and his son Richard Lionheart was on fire to head a crusade. He therefore sold back to William, for 10,000 merks of silver, the castles held by his father in Scotland, and, generally, the abrogation of the Treaty of Falaise, the nullification of all that had been "extorted" by *novæ chartæ*.

William's position now was this: he became the liegeman of England, "for all the lands for which his predecessors had been liegemen of the English kings." So the English claim is as vague as ever.[70] If we accept Mr Freeman's theory that Malcolm, for example, was "man" of William the Conqueror "for all that he had," Scotland gained nothing by the abrogation of the Treaty of Falaise, as England had gained nothing new by extorting that treaty. But it is plain that the Treaty of Falaise really placed Scotland in the posture later enforced by Edward I., and that Richard sold back English claims, which, in fact, had never been acknowledged by Scotland save under Henry II.

William, now reinstated in his own, still hankered after Northumberland, and offered 15,000 merks. Whence he was to get the money, so soon after raising 10,000 for his ransom, does not appear. But Richard would not sell the castles with the province, nor would William purchase it without them. He was not even yet free from the Legitimist party of the MacHeths. The Norse Earl Harald held the earldoms of Caithness, nominally subject to Scotland, and of Orkney, nominally subject to Norway. In old age he divorced a sister of the Earl of Fife, and married a daughter of Malcolm MacHeth. The lady had not abandoned her family claims, and, to please her, Harald laid hands on Moray (1196). A great deal of confused fighting and negotiating followed. Another, a rival Harald, intervened, while Ronald, king of Man, *bought*

Caithness, but fled before old Harald. Old Harald blinded and cut out the tongue of the Bishop of Caithness, who had taken Ronald's side. Finally, on paying 2000 pounds in silver, the veteran and truculent Harald was allowed to enjoy the earldom of Caithness for life. Such were the troubles caused by Celts and Northmen still, from Cape Wrath to the Solway:[71] and so far was Scotland from being a united nation.

In 1198 William became the father of an heir to the crown, Alexander. The death of Richard I., in 1199, troubled the relations with England. William still hankered after Northumberland; John evaded his demands; war was contemplated, but was ever deferred.[72] Age had calmed the temper of the king who charged so gallantly at Alnwick. He was even bearded by a bishop. A flood swept away Berwick bridge, and the Bishop of Durham forbade its reconstruction, as, at the southern end, the piles rested on his territory. Though the bishop was mollified, this was a cruel insult to a king who thought all Northumbria his own by right (1199).[73]

William did, in 1198-99, threaten and prepare war, if John did not keep his promise as to satisfaction for the northern English counties. An English chronicler, Hoveden, says that he slept by the shrine of St Margaret at Dunfermline, and received a warning against fighting. William then entered on a scheme of a royal French marriage for his daughter, but John propitiated him by a noble embassy, and, on November 22, 1200, William did homage at Lincoln, *salvo jure suo*, "saving all his rights."[74] The question of Northumberland and Cumberland, his "patrimony," was postponed. In 1204 a rupture nearly broke out, as John was building a castle at Tweedmouth to command Berwick. The Scots destroyed the castle, and a meeting between the kings had no definite results. In 1205, both in July and November, we have obscure letters of John to William. "He does all in good faith," but what is he doing? He invites William to meet him at York, and is ever plausibly courteous. In March and in October, 1207, John again invites William to "speak with him," in a conference at York, and sends safe-conducts. It is improbable that we shall ever know the exact details of all this diplomacy.[75] William's persistent longing after his Northumbrian claims, and his natural desire to be on good terms with the lord of his English estates, combined with old age to keep him quiet. John, though he was in correspondence

and intrigue with William's enemy, Harold of Orkney, had so many claims on his attention that he could not afford a war with William. Our further knowledge is darkened by the cessation of the chronicle of Roger de Hoveden, which ends in 1201. The Scottish chroniclers are themselves far from clear. In July 1209, when William was again contemplating a foreign marriage for his daughter, the armies of both nations marched to the Border. Yet, in April, John had been writing friendly letters, and the conclusion of the affair, at Norham in August 1209, was not hostile. The record in the collection of Fœdera merely represents William as promising to pay 15,000 merks for John's goodwill, and giving hostages, while he intrusts his two little daughters to John, expressly not as hostages. His action displeased his people, but his people did not know all the circumstances. The question of Tweedmouth Castle was settled to William's satisfaction. Presents passed; William sent falcons to John at Clyve; John sent lampreys for the invalid old Scottish king. Arrangements were also made that John should secure good marriages for the Scottish princesses intrusted to him. We might think that William was handing them over to an ogre, but this is an error. John treated them kindly. He dressed them out, at the fairy tide of midsummer, like fairies, the princesses in dark green, their damsels wore light green. John provided for them, among other dainties, a hundred pounds of figs, "the never-failing soothers of youth," says Thackeray. Other conditions were secretly made—probably for the intermarriage of the royal families—and were referred to as not fulfilled by Alexander III., in his pleas in 1237. English and Scottish relations, as between the kings, became friendly; peace was secured, and John showed courtesy, if he lacked good faith: possibly half of the 15,000 merks was remitted, though this is not certain. The diplomacy of William was thus less unsatisfactory than has been supposed, and was certainly for the benefit of his country.[76]

The usual *prétendant*, Godfrey, a son of Donald Ban MacWilliam, now came from Ireland to Ross, but was defeated, and skulked in the hills which were to shelter a more famous Adventurer. But Godfrey, more tenacious than Prince Charles, again raised his standard against a royal house, which he probably proclaimed "more Norman than Scots."[77] William was now alarmed into renewing his alliance with John, who knighted Prince Alexander, and the young knight went to gain glory against the MacWilliam

prétendant. But some of his Highland adherents, anticipating the purposed treason of Barisdale in 1746, betrayed Godfrey MacWilliam to the Earl of Buchan, and poor MacWilliam was beheaded and hung up by the feet before he could accomplish his design of starving himself to death.

Outworn with years and war, William died on December 4, 1214, just five days short of his Jubilee. His long reign was full of extreme vicissitudes, and the rashness of his *valiance* under Alnwick had a reaction in the cool diplomacy of his last years. His legislation will be touched on in a later chapter. On the whole, it followed the lines of David's policy. Such Normans as he settled in the turbulent North were succeeded by Celticised descendants.

ALEXANDER II. (1214-1249).—Alexander II. was crowned at Scone almost before William's body was cold. Naturally, a brother of the last MacWilliam, and one Kenneth MacHeth, instantly raised their rival standards. But the Earl of Ross[78] soon presented their heads to Alexander, who, tempted by the usual lure of Northumberland, now joined the barons of England in their struggle, after Runnymede, against the Pope and King John. The Yorkshire barons were giving their allegiance to Alexander, when John came North with fire and sword, and burned, with characteristic glee, the great Scottish commercial burgh of Berwick. The Dauphin now sailed over from France to head the recalcitrant English, and Alexander, travelling to Dover with the barons of the North, did homage to the French prince, concluding with him an alliance against John. That unlucky monarch's sudden death, and the peace between the Dauphin and Henry III., ended the war, from which Alexander took nothing, doing homage in the usual way for his English fiefs.

In 1221, Alexander married the English princess, Joanna. In the following year he reduced the Celtic province of Argyll to a sheriffdom (which then, or soon, was much in the hands of the Campbells of Loch Awe, a branch of Clan MacArthur), leaving, however, the race of Somerled as the chief lords. (At this time the mainland of Argyll was chiefly possessed by Clan Dougal, while Clan Ranald (including Clan Donald) held the Isles. Clan Dougal was, later, to be notably Anglophile, in Bruce's wars; but Bruce was to win to his cause the children of Somerled represented in Clan Ranald.) The usual MacWilliam risings followed, and were suppressed by the accustomed beheadings. So end the MacWilliams and MacHeths as

claimants of the Crown. A sharer in their latest effort, being forfeited, let in the Steward (FitzAlan) to isles adjacent to his lands of Renfrew. Some Norse disturbances arose on the west coast, but the energy of Alexander overcame them, as well as the normal revolts in Galloway. A request for liege homage and fealty from Henry III. was met by Alexander with a demand for the northern English counties. In a council at York (1237) Alexander commuted his claims on Northumbria in exchange for lands in the northern counties worth £200 yearly, and a treaty now made the end of a century of war and litigation for Northumberland, the patrimony of Waltheof.

The treaty set forth Alexander's grievances: (1) his claim on Northumberland, Cumberland, and Westmoreland; (2) his claims for promises made, but not fulfilled, by John, when William the Lion paid 15,000 merks; (3) his complaint that Henry III. had *not* married Alexander's sister, Margaret. On these points Alexander promised to hold his peace in future, in exchange for lands valued at £200 yearly.[79] This implied no duty of attending the court of the English king to answer to legal demand or summons. Thus the "running plea" ceased running.[80]

In 1238, Alexander's queen died, and he soon afterwards wedded Marie de Couci. A son, Alexander III., was born to him in 1241. In 1244, a picturesque private quarrel, arising out of a tournament, nearly led to war with England,[81] but ended, at the Treaty of Newcastle, in mutual promises of abstention from hostile alliances: Henry had, it seems, been suspecting Alexander's intimacy with his wife's country, France. Alexander died in the islet of Kerrera, in the bay of Oban, while prosecuting a quarrel with his liege man of Argyll, who held his possessions on the mainland from the King of Scotland, his islands from the King of Norway. Alexander wanted to be lord of the islands, but death overtook him on his maritime expedition (1249). He had settled the North and the West, he had destroyed the MacWilliam blood, but the disturbances previously caused by *prétendants*, MacHeths and MacWilliams, were henceforth, throughout Scottish history, succeeded by the strife of parties among the great nobles. To such cabals the minority of Alexander III. gave an opportunity.

ALEXANDER III. (1249-1286).—Woe to the kingdom whose king is a child! Alexander III. was but in his ninth year when Walter

Comyn, with other nobles and the clergy, took him to Scone and consecrated him in church, afterwards seating him on the Stone of Destiny.[82] The presence of a Scot, a true Celt, *montanus quidam*, who recited the royal pedigree in Gaelic, probably implied some measure of Celtic adhesion to Malcolm Canmore's line, no Celtic pretender being now in the field.[83]

In the lack of a rival Royal House, a rivalry of parties, however, had begun to declare itself even before the coronation. Alan Durward, as was thought, suggested the idea that Alexander, aged eight, should be knighted before he was crowned. Walter Comyn, Earl of Menteith, resisted the proposal. Menteith represented, on the whole, the more national and northern party; Durward held rather with the lords of the South, who may have had leanings towards England. On Christmas Day, 1251, Alexander was knighted at York by Henry III., to whose daughter Margaret he was wedded on the following day. The festivities were splendid, and scarcely marred by Henry's claim to homage for Scotland. The demand, addressed to a child of nine at his wedding, sounds like a jest, and the little boy had been tutored to answer in a manner at once kingly and astute. A more serious blemish was a charge brought against Alan Durward. If this official, noted for his military skill, was really inclined to the non-national English party, it is odd that he should have been accused of trying to get the Pope to legitimate his wife, a natural daughter of Alexander II. The charge shows that speculations as to the Scottish succession, now dependent on the life of a child, already agitated men's minds. But it is not easy to discern any essential political distinction between the Durward faction and the Menteith faction.[84] Both probably wanted "the spoils of office," and Henry inclined now to one side, now to the other. What he did not do, nor try to do, was to hold Scotland during Alexander's minority,—his right, had Scotland been a fief of the English crown. The Menteithians "took office" (as we may say proleptically), and Henry engaged in Continental war. Here Durward fought under his flag, and gained his confidence. The little Scottish queen wrote grumbling letters from the cold north to her father, and Henry sent Durward back with English allies to settle matters in Scotland. By a very pretty device in the style of historical romance Durward seized Edinburgh Castle, with the little king and queen. The Menteithians were driven from office; the Durward party came in, Henry himself crossed the Border, and a

regency with counsellors was settled till Alexander's majority. The arrangement certainly gave offence to patriots. The Regents were now excommunicated, by the exertions of the Bishop of St Andrews, and their opponents seized the chance. In 1257, the Menteithians in their turn captured the king at Kinross, and held him in Stirling Castle. This anarchy, so like that which attended the minorities of the Jameses, ended in a compromise and a coalition. The Menteithians had made a "band," and a commercial Treaty with Wales. They also overawed the Durward faction, and their English friends, by a display of force, at a meeting near Jed Forest. Alexander's counsellors were to be chosen from either party, Menteith and Durward being both in office, though the partisans of the former held the better places. On the whole, Henry took very little if any advantage of his son-in-law's minority. The interesting point is the transition from the familiar Celtic risings to the later Scottish constitutional practice of noble factions alternately kidnapping the king.

In 1260, Alexander visited England, under all manner of safe-conducts and vows of honourable treatment for himself and his queen. The virtue of princes in the Middle Ages and later could seldom resist the temptation to murder, or at least to extort promises from, any brother potentate who trusted himself in their hands. But Henry behaved loyally, and, in February 1261, Alexander's queen gave birth to a girl in Windsor. The child was christened Margaret, and as the wife in later years of King Eric, she became mother of the Maid of Norway, whose early death let loose the waters of strife.

His minority ended, Alexander determined to win the Western Isles from their long dependence on the Northmen. The Norse Island chiefs complained to Hakon, King of Norway, of attacks by the Earl of Ross on Skye, and of those barbarities which it was usual to commit, or usual to report. In July 1263, Hakon, with a large fleet, appeared at Kirkwall. In the Sound of Skye he was joined by Magnus, King of Man, and other Norwegian or Celtic potentates. Ewen, lord of Argyll and many isles, remained loyal to Scotland. From Lamlash, in Arran, Hakon negotiated with Alexander, in Ayrshire, thus wasting fine weather, till the usual tempests came in September. Hakon then sent Angus of Isla (Clan Donald) to ravage Loch Long and the Lennox, and tried himself to land an invading army at Largs. On September 30, a storm devastated his

fleet. The saga and the Scottish writer, Fordun, give varying accounts of what occurred in the ensuing skirmishes. There was some confused fighting, with displays of romantic valour in single combat, and at last, baffled by stress of war and weather, Hakon retired to Kirkwall, where he died on December 15, 1263.[85] His son Magnus succeeded; but Alexander took homage from the Northman King of Man, while he sent Alan Durward, Buchan, and Mar to punish the Northmen, or the Celtic sympathisers with Norway, in the Western Isles. On November 24, 1265, Magnus, King of Man, died. In July 1266, Man and the Western Isles (Sudreys) were ceded by Norway to the Scottish crown for 4000 marks and a yearly rent of 100 marks. In this arrangement Shetland and the Orkneys were not included.

So far, Scotland was now consolidated by the absence of direct Norwegian claims. But the position of the Lord of the Isles remaining till the end of the fifteenth century in the hands of the descendants and successors of Somerled — Celtic families with a strain of Norse blood — was for long a thorn in the side of the Scottish kings. Alexander, however, had practically swept away the last disturbing element of Northman power in Scotland, while he had read a lesson to the Celtic allies of the sons of the Vikings.

As regards England, his position seemed to be duly regulated. But Edward I. had come to the English throne in 1272, and if Edward's motto was *Pactum Serva*, "Keep Faith," it was no less certainly his practice to extort his rights "unto the uttermost penny," according to the strictest reading of the letter of the law. Consequently, when Alexander paid homage to Edward in 1278, the traces of an attempt on Edward's part to get the better of his brother-in-law, and, on Alexander's part, of cautious distrust, are amusingly obvious. On June 12, 1278, we have Edward's commands to his officers of every kind; they are enjoined "personally to conduct" Alexander through their borders — "*personaliter conducatis*." Then we have a "Memorandum" in Fœdera announcing that, at Michaelmas (September 29), Alexander did homage to Edward in Parliament at Westminster, "against all mortal." This homage Edward accepted, *salvo jure suo*—reserving all his rights —"against the time when they shall choose to discuss these rights." Then Alexander asked leave to proffer his fealty through the mouth of Robert Bruce, Earl of Carrick. Edward granted this, "as a special favour, on this occasion." So runs the English version.

Bruce then, in Alexander's name, vowed fealty, swearing by Alexander's soul, "for the lands and tenements which Alexander holds of the king of England." This vow Alexander confirmed and ratified.[86]

Now the Scottish version is that Alexander tendered his homage on October 28, for the lands he held in England, *saving my own kingdom.* To an interruption by the Bishop of Norwich, "and saving the right of my lord, King Edward, to homage for your kingdom," he loudly replied that "he held his own kingdom direct from God." Bruce then did fealty in Alexander's name, the king adding, "for the lands which I hold of you *in England.*"[87] Now the date (Sept. 29) in the English Memorandum, in 'Fœdera,' cannot be correct, because an extant paper of Edward's acknowledges that, on October 16, Alexander offered his homage, which Edward deferred. The Memorandum in 'Fœdera' therefore, dating the homage at Michaelmas, that is, *before* October 16, is an incorrect document, made later, for an obvious purpose. "The last link in the chain of evidence which was to bind the Scottish kingdom to the English crown, is of metal as base as the remainder."[88]

After 1278, misfortunes began to crowd upon Alexander. His wife he had already lost (1275), his younger son followed her in 1280. In 1281, his daughter, Margaret, married Eric, King of Norway. His eldest son also wedded Margaret of Flanders. But, in 1283, Margaret, Alexander's daughter, died, after giving birth to the Maid of Norway, while her brother, the Prince of Scotland, expired childless. He is said to have uttered a prophecy, "My uncle, Edward, shall win two battles and lose a third," a prediction reported to the Lanercost chronicler by two of those who stood by the death-bed.[89] But it is not easy to regard this as a "veridical premonition." The Scottish succession now rested on the new-born Maid of Norway, to whom it was secured by a great assembly of the Estates at Scone.[90] Among those present were Robert de Brus, Earl of Carrick, his father, Earl of Annandale, Comyn, Earl of Buchan, John Balliol, James the Stewart, and three representatives of Somerled's line, Alexander de Ergadia (Argyll), Angus, son of Donald, and Allan, son of Ruari (Roderick). None of them was then bearing the title of Lord of the Isles. The Isles (ceded to Scotland by Norway in 1266) were not yet, it seems, held by any one descendant of Somerled.[91] All swore to be loyal to the Maid of Norway, if Alexander died childless.[92]

FEUDAL
SCOTLAND
CAITHNESS
SUTHERLAND
ROSS
ERGADIA BOREALIS
River Spey
BUCHAN
MOREVIA OR
MORAY
MARR
MEARNS
Ergadia quae
ad Morgiam
pertinet
SCOTIA
ANGUS
STRATHERN
Scorne
Ergadia
quaeid
Scotiam
pertinet
FIFE
MENTEATH
LENNOX
Forth
LAODONEA
GALLOWEDIA
NORTHUMBERLAND
PICTS OF GALLOWAY
CUMBERLAND
ENGLAND
IRELAND
Isle
of
Man
6
5
4
3
2
1
58
57
56
55

In 1285, Alexander married again, choosing Yolet, daughter of the Comte de Dru. He had no issue by this lady, and, on March 19, 1286, he met his death. The contemporary Lanercost chronicler tells the story with singular bitterness. Alexander had encroached, he says, on the territory of St Cuthbert, and he perished on the vigil of the saint. The old legend represents Thomas the Rymer, of Ercildoune, as having predicted a great storm, and when bantered next day (March 20) on the calmness of the weather, he justified himself by the news which then arrived of the king's death. But Thomas, it seems, was really weather-wise. The storm which he had foretold literally occurred. The Lanercost chronicler proves this: he observes that March 19 was so rough that he himself could not face the north wind, rain, and snow. There had been on this day of tempest a Council at Edinburgh Castle, and, after men had well drunk, the king insisted on riding home to his wife in Fifeshire. At Queensferry, the ferry-master prayed the king not to cross, though "it fits me well to die with your father's son." At Inverkeithing, the overseer of the Royal salt-works, hearing Alexander's voice in the night, implored him to tarry there. The king, however, asked for two guides on foot, in spite of whom the little band had to trust to the instinct of their horses. The king's horse made a false step, on a cliff above the sea-shore, and Alexander was taken up dead. The Lanercost chronicler accuses him of habitually visiting ladies at night, in slender company, but admits that he was generally lamented, "except by persons whom he had especially obliged."[93] Alexander, bewailed in one of the oldest fragments of Scottish verse which survive, was the last of the "Kings of Peace."

"Quhen Alysandyr oure Kyng was dede
That Scotland led in love and le,
Away wes sons of Ale and Brede,
Of wyne and wax, of gamyn and gle;
Oure Gold wes changyd into lede;
Chryst, born into Virgynyté,
Succour Scotland, and remede
That stad is in perplexyté."[94]

NOTES TO CHAPTER V.

[1] Ramsay, i. 484. Sim. Durh., ii. 174, and Note.

[2] Mr Freeman and Mr Robertson prefer 1070 as the date of Malcolm's marriage. Mr Skene, for reasons which appear valid, votes for the earlier date, 1068. Skene, i. 422-423; Robertson, i. 133-135; Freeman, iv. 782-786; Simeon, ii. 190, 191, 192.

[3] Florence, 1072.

[4] The place where Malcolm met William, "and his man was," is not mentioned in the English Chronicle. Berwick is given, wrongly, by early editors and "Matthew of Westminster," who probably thought that Berwick was then on the Scottish frontier. Florence of Worcester gives "in loco qui dicitur *Abernithici*," and he may possibly have used a lost MS. of the English Chronicle. William's fleet would easily enable him to reach Abernethy, south of Tay, and, as will be seen, the fact is of the first importance, if it indicates that Tay bounded Scotia, Malcolm's actual kingdom on the South. Mr Burton thinks that Florence got Abernethy from a rhetorical source, Alred's report of Walter L'Espec's speech, at the Battle of the Standard! Burton, i. 376, 1873. Sir James Ramsay (ii. 94) believes that "simple" not "liege homage" was rendered, "not involving any right of interference in domestic affairs."

[5] See Robertson, ii. 480-483.

[6] Robertson, i. 137; ii. 401-403. Freeman, iv. 517, note 2. Florence of Worcester, 1091.

[7] Mailsnechtan's name occurs, as a benefactor of the Church, in a very ancient book of devotion. Anderson, Scotland in Early Christian Times.

[8] Florence.

[9] What was *Loidis?* Mr Burton and Mr Thorpe say "the district of Leeds." The English Chronicle says "Lothene in England," which Mr Skene interprets as Lothian. Ordericus makes William reach "Scotte watra," "the Scots water," that is, the Forth. Mr Hume Brown makes Malcolm bound "to repair to Rufus on occasions when his feudal superior should lawfully demand his presence" (p. 60). Cf. Robertson, ii. 480, and Ordericus Vitalis, viii. 20.

[10] Florence, 1091.

[11] Florence, 1092.

[12] Florence. Same text in "Simeon."

[13] Robertson, ii. 402.

[14] This is an unpleasant circumstance which appears to have escaped the notice of Mr Robertson. Ailred places Abernethy in *Scotia*—that is, in Celtic Scotland.

[15] Later pious historians regarded the mist at Edinburgh as a miracle! Lord Hailes laughs at a superstition illustrated again, much later, by Knox's remarks on the "Easterly Haar"—a sign of God's wrath—in which Queen Mary first entered Edinburgh from France.

[16] Turgot's authorship of the Life is disputed. Ancient engraved gems are occasionally incrusted, as well as stones cut *en cabochon*, in these metal bindings.

[17] Ailred had the story from Malcolm's son, David.

[18] By a singular Papal grace, St Margaret's day was changed to June 10, the birthday of the White Rose Prince of Wales (1688).

[19] The Celtic Church in Scotland, pp. 285 note, 235.

[20] Columba had several miracles of this kind, due to the excellence of his ink and materials.

[21] G. T. Stokes, Ireland and the Anglo-Norman Church, p. 343.

[22] Florence says he asked William for the kingdom, on Donald's election.

[23] History of Scotland, p. 67. The charter is by Eadgar, a grant of Coldingham to Durham. See Raine's History of North Durham, p. 377. The charter, says Mr Raine, "establishes the independence of Scotland" (not of Lothian) "in the strongest terms." The document is a copy, of disputed authenticity.

[24] What pleases Mr Freeman is that, on King Eadgar, nephew of Eadgar Ætheling, "the crown was bestowed by the overlord"—that is, William Rufus. That holy man's act is thus to be a precedent for the conduct and claims of Edward I. N. C., v. 122. See Robertson, i. 158-160.

[25] Mr Freeman doubts her parentage.

[26] Fordun, who tells the story of Scrymgeour, places the battle-field on the Spey. Mr Robertson, following Wyntoun (i. 172, 173, and note), prefers the passage of the Moray Firth, called Stockford.

[27] The Ulster Annals call him Fothadh; the Register of St Andrews names him Modach, son of Malmykel. Rer. Hib. Script., iv. 356.

[28] Eadmer, Historia Nova, R.S., pp. 282-286.

[29] Liber de Scone, No. I. Robertson, i. 184, note.

[30] Liber de Melros, i. No. I.

[31] Richard of Hexham. Surtees Society, i. 72, Note G.

[32] Skene, i. 459.

[33] Robertson, i. 184.

[34] But the name of Heth, who married Lulach's daughter, is in fact written "Beth" in the charter of Scone, a fact which throws some doubt on Heth's identity. Perhaps "Beth" is a clerical error. If we went on Celtic ideas of that age, the rightful King of Scotland is, apparently, the respected chief of Clan Vourich, Cluny Macpherson. The Mackintosh claims may be disregarded. Robertson, i. 240, 241, note. Skene, Highlanders of Scotland, ii. 170-174.

[35] Robertson, i. 184, note.

[36] In this extremely perplexed affair we have followed Mr Robertson. The story of Malcolm MacHeth, who represented the claims of Lulach in the female line, is almost inextricably entangled with the adventures of a military and ecclesiastical charlatan, Wimond, who had been a monk in the Isle of Man, and became Bishop of the Isles. He gave himself out as a son of Heth, Earl of Moray, or, at least, as "some great one" of that line. He was (1151) blinded by some of his outraged flock, and died in the monastery of Biland, where a chronicler, Newbridge, knew him, and reports his humorous and boastful conversation. Some historians regard this clerk of Copmanhurst, this noisy clerical man-at-arms and reiver, as identical with Malcolm, son of Heth, Earl of Moray. But *that* Malcolm MacHeth was not released from prison till 1157, six years after Wimond was blinded and lay in retreat at Biland. Cf. Robertson, i. 221, note, with Skene, Celtic Scotland, i. 464, note 66.

[37] Henry of Huntingdon says he took them by guile.

[38] Mr Freeman treats this as the cession of Carlisle and Cumberland to Prince Henry. Probably the holder of Carlisle, Rufus's new border castle, practically did hold Cumberland.

[39] Henry of Huntingdon says, through the mouth of the Bishop of Orkney.

[40] Ailred is the authority here. Cf. Oman, Art of War, pp. 387-391. Ailred was in most friendly relations with David and Henry. A very much less chivalrous version, full of Scottish atrocities, is that of Richard of Hexham. *Op. cit.*, i. 80-90.

[41] The two Matildas are distracting. Malcolm Canmore, father of David I.,

had two daughters. One was a Matilda who married Henry II., and had issue, Matilda, wife of the Emperor Henry V., and, later, wife of Geoffrey Plantagenet, Count of Anjou. The other daughter of Malcolm Canmore, Mary, wedded Eustace, Count of Boulogne, and had issue, Matilda, wife of Stephen. Both these Matildas are nieces of David I. and cousins of Prince Henry; but it was Stephen's wife, not his rival, of course, who arranged the peace at Durham.

[42] Some time later, before 1151, occurred the disturbing adventures in the west Highlands, already alluded to, of Brother Wimond, the false MacHeth, who, as we saw, was blinded, after causing a great deal of trouble. Such was the Celtic love of a Pretender, even when not the man he gave himself out to be.

[43] In 1149, Henry was but sixteen; his promise made as to Northumberland is recorded by Roger de Hoveden, who, about 1175, was employed by Henry in diplomatic missions. Roger was likely to have good information: he says that Henry was knighted by David himself. Rolls ed., i. 211.

[44] St Bernard, in his Life of an Irish saint, Malachias, tells how Henry was miraculously healed by him of a fatal disease. "Take heart, my son, thou shalt not die this turn" (*hac vice*), said the saint.

[45] See chapter vi.

[46] The French *prétendant* merely means "claimant." Applied by the English as "Pretender" to James III. and Charles Edward, it takes a new sense, referring to the palpable lie of the Warming Pan.

[47] That Somerled should have given his sister in marriage to a bishop, that genial ruffian Brother Wimond, is extremely improbable; wherefore Somerled's brother-in-law was pretty obviously *not* Brother or Bishop Wimond, but the genuine son of Heth, Earl of Moray, Malcolm MacHeth.

[48] Mr Freeman qualifies Henry's promise to David, in 1149, by a "so it is said." There seems no room for doubt about the fact. Freeman, v. 323, 324; Robertson, i. 352, 353, and note. Rudulf de Diceto, a contemporary, says that the Northumbrian lands were "given and handed over to David, and confirmed by charters" (Rolls edition, i. 376). This would account for William's fatal pertinacity in pressing his claims to Northumbria, while the youth of Henry, at the time of his promise, was probably regarded by him as a good excuse for breaking it, when the youth of Malcolm gave him an opportunity. Diceto makes Malcolm also give up *Lothian;* but Mr Robertson looks on this as a late addition by another hand. Robertson, ii. 427, note.

[49] Malcolm's presence with Henry was an acknowledgment that he held the Honour of Huntingdon by liege homage. Later we find William the Lion subletting Huntingdon to his brother, David, so that he himself escaped the duty of following the wars of the English king.

[50] For the legend of treachery, *nous sommes trahis!* see 'Clan Donald,' i. 38-54. The authors are two ministers of the Clan, the Rev. A. and A. Macdonald.

[51] See Appendix C, "The Celts in the War of Independence."

[52] Malcolm was not, otherwise, "the Maiden." Hailes, Annals, i. 128. Prince Charles, also, is celebrated as the maiden, Morag, by Gaelic poets.

[53] Epist. St. Th. Cantuar, 1. i. 44; 1. ii. 32, cited by Lord Lyttelton in his History of Henry II., iv. 218.

[54] Gesta Henrici, i. 5, 6; Hoveden, Rolls edition, ii. 5.

[55] Hoveden, ii. 47.

[56] Gesta Henrici, i. 48.

[57] These "atrocities" are again reported, in the same terms, much later, about the Scots under Wallace. The story concerning William's ferocity is, in fact, a *cliché*, or stereotyped paragraph, lifted by the author of the 'Gesta Henrici'

from Henry of Huntingdon's account of David's march into England (1138), and assigned to William's march in 1174 (Henr. Hunt, 261; Gesta Hen., i. 64). The *cliché*, again, may be traced back to the accounts of the raids into Northumbria by Malcolm Canmore. This proceeding throws a good deal of doubt on all these alleged Scottish atrocities.

[58] Liddesdale, of course, is Scottish; probably de Stuteville, holding both of William and of Henry, preferred to be loyal to Henry.

[59] Newbridge and Gesta Henrici.

[60] William, later, tried to win over Becket's ghost by founding in his honour the great abbey at Aberbrothock (1178). He had been much interested in a miracle whereby the dead saint saved a man from drowning in the Tweed.

[61] Hoveden, ii. 63.

[62] Newbridge, bk. ii. xxxiv. Was this done otherwhere than in Galloway?

[63] Lord Hailes is indignant with Henry. But the 'Miracles of Madame Saint Katherine of Fierbois' are a long record of similar ferocities exercised on captives.

[64] In Fœdera, Record Commission, ed. 1816, vol. i. pt. i. p. 31, we learn that the English Church was conceded "such rights" over that of Scotland "as it ought to have,"—"as it is wont to have." These, it seems, were precisely none at all, in the opinion of the Scottish clergy. They had rejected a Bishop of Orkney of York consecration. Lord Hailes presumes that the form of this submission did not escape the astuteness of Henry. The names of William's hostages are interesting—as Moreville, Comyn, Corbet, Olifard (Oliphant), Lindsay, Riddell, de la Hay, and Mortimer,—all Norman. Hoveden, ii. 81.

[65] Robertson, i. 376.

[66] Gesta Henrici, ii. 234. Cf. Registr. Episc. Glasg., i. 35; Statut. Eccles. Scot., xxxvi.

[67] It is worth noticing that the higher Scottish clergy were always most resolute assertors of the freedom of their country, whereas the Reformers, in a later age, were usually of the English party. But the services of the Church to the cause of Scottish independence were easily forgotten by Presbyterians.

[68] Gesta Henrici, ii. 7 *et seq.*

[69] Gesta Henrici, ii. 44.

[70] Fœdera, vol. i. pt. i. p. 50. Gesta Henrici, ii. 102-104.

[71] Robertson, i. 400-413.

[72] Hoveden, iv. 100.

[73] Hoveden, iv. 98.

[74] This "salvo" was a favourite "hedge" of Edward I.

[75] Cf. Bain, i. xxvi., xxvii.

[76] The homage of 1200 was done at Lincoln, not Leicester, as Mr Hume Brown writes (p. 106). The treaty of August 1209 was executed at Norham, not Northampton, as erroneously stated in Fœdera, followed by Mr Robertson and Mr Hume Brown. The view here put forth is based on Hoveden, Rolls Edition, iv. 88, 98, 141. Of Fordun's account I can make no sense. I have also used the Melrose Chronicle (pp. 108, 109), at this time apparently contemporary; with Fœdera (Rymer), i. 155, Bain, i. 75, 76, and preface, Fœdera, i. 240, 241. See also Robertson, i. 415, 423. Hoveden's Chronicle fails us here, and little trust can be placed in Roger of Wendover, R. S., ii. 50.

[77] See Walter of Coventry's remarkable passage in Robertson, i. 428, note. Walter makes errors in fact; but his observation, "the more recent Scottish kings proclaim themselves rather Norman than Scottish (Francos) in blood, manners, speech, and life," probably explains the Celtic disaffection.

[78] "Machentagar," Mac in Sagart, the Priest's son: son of a lay "Cowarb" holding Church lands. Chronicle of Melrose, 117.

[79] Alexander's rights include all that were dear to the Baron Bradwardine—Outfangthief, infangthief, hamesocken, and the rest, and "omnia animalia quæ dicuntur *wayf*."

[80] Fœdera, R. C. ed., vol. i. pt. i. pp. 233, 234.

[81] The Earl of Atholl had defeated Walter Bissett in a tourney. Bissett's Highland tenants murdered Atholl. Bissett fled to England, and tried to make the king call Alexander II. into his courts. The Frazers (Lovat) succeeded to Bissett's lands.

[82] There is no reason to suppose that Alexander was *anointed*. David II. was the first formally anointed King of Scotland. This negative point, as indicating a subordinate position, was afterwards raised before Edward I. in the pleadings as to his supremacy and the succession.

[83] Fordun.

[84] There is a very copious account of these embroilments in Tytler, i. Mr Tytler has the worst suspicions of Henry III. See also Robertson, ii. 53-82. The best, if partisan, account is in the (here contemporary) Melrose Chronicle. See, too, Matthew Paris, v. 505, 656.

[85] Viking Club. Johnstone's Norse Account of Hakon's Expedition.

[86] Fœdera, ed. 1816, vol. i. part ii. p. 554.

[87] Register of Dunfermline, No. 321.

[88] Robertson, ii. 425. Mr Robertson traces the origin of the statement about Michaelmas in the English Memorandum to a passage in a letter of Edward's, written on March 1, 1278. He corroborates this by a letter of Boniface VIII. to Edward I. ('Fœdera,' vol. i. pt. ii. p. 907). Both accounts of this crucial act of homage by Alexander rest on the authority of "Memoranda." That which is inserted in the Register of Dunfermline is just as much open to suspicion, *prima facie*, as its rival in 'Fœdera.' But the date given in the Dunfermline Register, October 28, tallies with Edward's own undisputed paper of October 17, in which he postpones the reception of homage; whereas the memorandum in 'Fœdera' declares that the homage was accepted on Michaelmas-day, September 29, many days before the date of Edward's letter putting off the ceremony. This cannot conceivably be correct, nor, perhaps, can the error in chronology have been made soon after the event described. Thus the Scottish version has, at least, an accuracy absent from the English version.

[89] Chron. Lan., 111.

[90] Feb. 5, 1283-84. Fœdera, vol. ii. pt. ii. p. 638.

[91] Gregory, Highlands and Isles, 23.

[92] The authors of 'Clan Donald' (p. 83) do not think that Alexander, Angus, and Allan acted from "sincere concurrence in the decision arrived at," namely, loyalty to the Maid of Norway. Nobody doubts their insincerity! See Appendix C.

[93] Chron. Lan., 115-117.

[94] Cited by Wynton. The measure approaches the form of the ancient French octosyllabic *ballade*.

CHAPTER VI.

FEUDAL SCOTLAND.

THE years between the close of Malcolm Canmore's reign and the death of Alexander III. saw Scotland, or much of Scotland, brought within the sphere of general European law and custom. David I. and the successors of David had "feudalised" Scottish institutions. What do we mean by "feudalised," and what do we mean by "feudal"? In any ancient civilisation ownership of land, however acquired, will imply powers, rights, and duties. The larger owner will have duties of protection to his kindred and other dependants; and they, in return, will have the duty of fidelity to him in peace and war. If there be a king, under his standard the landowner, with his kin and dependants, will naturally fight in defence of his country. If there is no caste of judges, the landowners will probably exercise some juridical powers. There will be a naturally evolved hierarchy from the king to the slave, and status will usually be hereditary. As the king's power increases, he will establish magistrates answerable to himself.

All the institutions thus roughly summed up were familiar to the Scottish Celts rather as customs resting on tradition than as matters formulated by written laws or charters. Now, undeniably, this set of institutions has a rude resemblance to what we commonly call feudalism. So strong are the resemblances that when feudalism, technically so styled, was brought in from England, by way of imitation, no considerable shock was dealt to old Scottish society. "The principle which underlies feudalism may be universal," says the Bishop of Chester, and universal, after a certain stage in human evolution, it seems to be. But in this island we have to do with a specialised form of a principle universal (at a given point in social development). Scottish feudalism was

borrowed from English feudalism; while into England "feudalism, in both tenure and government, so far as it existed, was brought from France."[1] We are not here concerned with the gradual development of the institution under Frankish influence, on the conquered soil of Roman Gaul. The elements of feudalism were—(1) the *beneficium* or gift in land of a king to a kinsman or servant, with a special obligation to be "faithful"; (2) "commendation," "the inferior put himself under the personal care of a lord: he thus became a vassal, and did homage. The twofold hold on the land, that of the lord and that of the vassal, was supplemented by the twofold engagement, that of the lord to defend and that of the vassal to be faithful." "The possession of the land was united with the right of judicature," the dweller on a feudal property was judged in his lord's court. By the time of the Norman Conquest feudalism "may be described as the complete organisation of society through the medium of land-tenure, in which, from the king down to the lowest landowner, all are bound together by obligation of service and defence: the lord to protect his vassal; the vassal to do service to his lord; the defence and service being regulated by the nature and extent of land held by the one off the other. . . . The lord judges as well as defends his vassal; the vassal does suit as well as service to his lord."[2]

Now, on these principles, if they remain unmodified, "the central authority becomes the mere shadow of a name." So it was, or was apt to be, when William landed in England; but the later reigns had seen in England a consolidation of royal power, and a growing sympathy of king and people, as against the great barons. There was much grumbling against Henry I.; but "good man he was, mickle awe was of him. Durst no man misdo with other in his time. Peace he made for man and deer. Whoso bare his burden, be it gold or silver, durst no man say to him aught but good."[3] This was the kind of feudalism, the power of the lords tempered and restrained by the central authority, which David, before his accession, saw in England, and instituted in Scotland.

The Scotland which baffled Edward II. was thus no longer the Scotland of Macbeth and Duncan. Before the country passes into the furnace of affliction whence she emerges a thing of steel, "the ice-brook's temper," it is necessary to examine the condition of

society which resulted from the measures of David I. and his descendants. The most important of human relations, especially before the age of commerce and manufactures, is man's relation to the soil which supports him. Now, down to about the period of David, in all Celtic parts of Scotland, that relation, as we saw, had from time immemorial been "tribal." We have already discussed Celtic land-holding in Scotland, and tried to elucidate the tribal system. The tribe had been, theoretically, the sole source of property in land. Tribesmen held land in possession, or acquired it in property by the tenure of three generations, in proportion as they were near of kin to the recognised senior or tribal representative, the proportion being modified by each man's private wealth in cattle, due to inheritance or to his personal abilities. The positions of the tenantry, of the insufficiently landed swordsmen, of the broken men admitted into the society from other tribes,[4] of the free, and of the unfree (who did "servile services" as part of their rent) have been explained. From the *ardrigh* of Celtic Scotland to the lowest *flath*, or laird, every lord received *can* (Scottish *kane*)—that is, rent in kind; *cuairt* (*pastus*)—that is, free quarters; and took services, agricultural or military, from his subordinates.

Obviously this condition of Celtic society is one of nascent feudalism, of *unwritten* feudalism, not yet regularly and fixedly defined by *bôc*, or charter, but reposing for its sanction on custom, on public opinion, and on the "dooms" of the native *brehons*, as the Irish called their judges. The central changes introduced by the descendants of Malcolm Canmore were to substitute regular written charters for custom, and to convert the tribe (*tuath*) into the *thanage;* the *righ*, or kinglet of the *tuath*, or the *toiseach* or *toshach* (war-leader), into the *thane;* the *mortuath* (or aggregate of tribes, or province) into the earldom; the *righ-mortuath* (now Mormaor, a king's officer) into the earl; while all was brought directly under the royal hand by the appointment of sheriffs (*vice-comites*), who administered local justice in the king's name. The king now became, nominally at least, the sole original source of property in land, and the fountain of justice. It is important, however, to observe that large portions of the Celtic land and great clans of the Celtic people were, and for several centuries remained, but superficially affected by the feudal institutions of the descendants of Malcolm. Written feudalism, the sway of the king and his charters,

merely veneered the surface of Highland life. Thus, down to 1745, two nations, Celtic and English, were living in Scotland under essentially different institutions.

The very early system of "unwritten feudalism," it will be seen, practically endured in parts of the Highlands till after Culloden. Most of the chiefs, indeed, had then long held their lands, not by custom nor by the sword, but by regular charters. They had also power to evict tenants, if they liked to stake their popularity. But written agreements between tenant and chief were, as late as 1745, unusual in the wilder regions, such as Knoydart, and were regarded by both parties, chief and tenant, with dislike and suspicion. Both had an idea that "between friends"—that is, kinsmen—written documents implied distrust.[5] The tenants also conceived that a written lease for a term of years contained the possibility of removal at the close of the term or on non-payment of rent. The lands held by cadets of the chief's family might be secured to them by no formal paper: for example, Coll Macdonnell of Barisdale, in 1745, had no "writing" from Glengarry, the real chartered owner of Barisdale. But such holdings were conventionally looked on as hereditary. The rents were paid partly in money, but to a great extent in military service, in kind, and in all manner of ill-defined "services," dating from ancient times, and capable of being made very oppressive. Thus, down to the Rising of 1745, and the consequent changes in society, fragments of the very early condition of affairs as they were before David I. continued to exist, even under chiefs who had long held their lands by regular charters. The chief, too, as late as the '45, was not necessarily the clan-captain in war. From indolence, prudence, illness, or age, the chief might stay at home; and the Macdonnells, for example, might be led, not by Glengarry, but by Barisdale or Lochgarry. So long was it before the feudal system of David and Alexander II. actually conquered the rudimentary "unwritten feudalism" of the Highlands. The feudalism of David, the written feudalism of charters, we repeat, is really a defined, legalised, and centralised form of the pre-existing customary hierarchy of tribal classes in relation to land-tenure. Even the distinction of free and unfree remained in the feudalism of the descendants of Malcolm Canmore, though it gradually disappeared under the influence of a variety of causes which will be stated, surviving chiefly in the line drawn between "gentle" and "simple." The gently born have an old hereditary connection with freehold

lands and arms; the "simple" have not: they are townsfolk, traders, tenant-farmers, artisans, labourers.

Under King David, then, who was the chief early donor of charters, being, as king, the sole source of landed property, the tribal system disappeared—theoretically. Free lands were held no longer by degree of seniority and purity of blood within the kindred, but by ownership of written documents from the king, or by free tenants, rent-payers on lease. "Henceforth the charter marked the freeholder, or the member of the community of the realm."[6] The free were now not, as of old, *duine uasal* of pure tribal blood, but "knights, sons of knights, or holders of any portion of a knight's fee, holding by free service, hereditarily, by charter, with their sons, as men of free and gentle birth." On the other side were men of ignoble birth, charterless men, having no charter from king, earl, thane, or ecclesiastical superior. These, when lease-holders and rent-payers, were freemen, but not gentry. It is obvious enough that the same sets of persons would, as a rule, remain free and unfree, gentry and churls, under the new names and the new theory of possession in land, as under the old. The granting of charters centralised, made definite, and subordinated to the royal power a system and hierarchy of society which had probably grown up under tribal conditions.

A revolution in the laws of property may be thus briefly and glibly described. The king, not the tribe, became the source of real estates. But how was it done? Not much waste land, even in the central Australian desert, is unclaimed by tribes, and tribes will fight for their own. How, then, could Malcolm Canmore, Edgar, or David give away land, in whatever terms, to new holders, lay or clerical? The answer to this natural question is that, in Galloway, for instance, the invaded Celts *did* make a fight for their own, and did, on occasion, drive out "French and English" intruders. North of Forth, and elsewhere, MacHeth and Mac-William risings, when defeated, left lands subject to forfeiture and to redistribution. We have a case in which Thomas Fleming, who had been, but ceases to be, Earl of Wigtown, sells his lands to Archibald Douglas, knight, Lord of Galloway, because the Celts lead him such an uneasy life. Douglas could take better care of himself.[7] But, as Mr Robertson observes, there is no sign of an emigration of dispossessed prior owners in consequence of the many grants of David and William.[8] Malcolm Canmore settled

Cospatrick and de Moreville in Dunbar and Teviotdale, but we do not hear of feuds consequent on the eviction of prior holders, as we do when Bruce gave away the lands of his foes, the Disinherited Lords and the never-pacified Macgregors. In "Scotia," except perhaps in the case of Malpeter MacLoen, Mormaor of Mærne, we hear of no great northern forfeiture at this period. The juries, from Angus to Clyde, are full of Celtic names of the gentry. The Steward (FitzAlan) got Renfrew, but the *probi homines*, or gentry, remain Celtic after the reigns of David and William. In eastern Ross, a MacWilliam haunt, and mutinous Moray, Norman and English names appear among those of the Celtic holders. Along the east coast, north of Forth, burghers are English or Flemish, lairds and lords are generally Celtic, even after the reigns of David and William. Then Celtic names yield to the territorial surname, "*of* this or that place," the bearers of these territorial names dropping their old Celtic proper names. The de Abernethies and de Brechins were descendants of Celtic lay abbots. Where the old race really was proscribed and feudal tenure was introduced, namely, in Moray, "the result was rebellion for a century." The Crown lands in Lothian were so vast that much land might be given away without dispossessing loyal holders. "The *probi homines* (gentry) remained undisturbed" when wide baronies were given away, as in Renfrew. Gifts of rights or dues might perhaps be given, without giving away the land itself. In brief, those grants of David and William may mean the subordination, and often led to the Anglicising, of the original owners, and to their adoption of territorial or English names (as Steward), derived from a new chief. But, except probably in contumacious Galloway and rebellious Moray, the grants do not imply the general displacement of a Celtic population.[9] We must also allow for the marriages of Normans with Celtic heiresses, though this was much less common than later tradition believed. The vast power of the Kennedys in Galloway and Ayrshire was Celtic from the first. In Lothian, practically conquered from the early English settlers, tribal resistance to the king would be slight; much of the land would be Crown land, and resistance to new grants to foreigners would be relatively feeble.

In these various ways we may partially account for the possibility of the territorial revolution of the descendants of Malcolm Canmore. That in early Lothian charters the names of fields and

farms, as distinct from names of rivers and of some hills, are already English, proves that David and William had not, in the south, to deal with Celtic tribal resistance.

The population, as we have said, was still divided, under David I., into free and bond. This appears from a kind of codification of Celtic customs, under David I., called *Leges inter Brettos et Scottos ;* [10] the Brett being descendants of Britons of Strathclyde, and the Scotti being, of course, the Celtic people — all as distinguished from English and Anglicised Normans. In this code we find the scale of fines for manslaying (Greek ποινή ; Maori *Utu*—the *Bludwyt*, or honour-price). These fines range from the king, to the nephew or grandson of a thane ; men lower in the kin are "carles." [11]

We may regard the carles as free men, though not noble, while the *nativus* is only free in a very limited sense, and is, technically, "unfree." In the laws of William the Conqueror, we read : "The *nativus* who flies from the land on which he is born, let none retain him, or his chattels" (which, in the eyes of the law, are his lord's) ; "if the lords will not send these men back to their lands, the king's officers are to do it." [12] This term, *nativus*, has "a vague and indefinite meaning into which modern learning pores with no fixed results." [13] "The slave is free against everybody but his lord," and whatever property he may have acquired does not become his lord's by that very fact, "but only if the lord has taken it into his hand." As regards everybody but his lord, the *nativus* is as good as the owner, and, as regards the lord, everything would depend on the individual, his indolence, good-nature, avarice, and energy. For example, a *nativus*, or *villein* (for the ideas run into each other), had not been formally manumitted. His lord, however, gave him a piece of land, to hold by *free* services—such, that is, as a free man could perform. The lord died, his son confirmed the lease, and when the tenant (still not a free man) was later evicted, he brought an action and recovered possession. The unfree was not so unfree but that a pact between him and his lord was valid.[14] Among the contradictions and intricacies of laws which were a patchwork of old English, Norman, and Roman, the *nativus* appears as a man unfree, but by no means, *practically*, as always a chattel, like a negro slave. Theoretically, at least, the *nativi* belong to any lord who can prove that they have been on his servile lands for four generations, rendering to him servile services. Stud-books of peasant pedigrees were

kept.[15] A freeman, for the sake of maintenance, may give himself up to a lord, as his bondsman.

All this applies to land previously held on the Celtic system. The old Celtic system had placed on one side the *noblesse* and gentry, in their various degrees, from the Mormaor or earl to the men of chief's blood who, having little or no land, were quartered on the unfree tenantry, and were always ready for a fight. On the other side were the unfree. The new feudal and chartered system left the former class, through all its grades, in the position of free-holders, *probi homines*, men of gentle birth, holding lands not by title of blood and rank in the tribe, but by charter and services to the Crown, now the sole source of landed property. These services were military, and were distinguished as "Noble Tenure" (among the baronage), knight's service, and Scottish service. They who held by knight's service paid no rent in money, but did contribute to feudal aids (as to the ransom of William the Lion), and to the knighting of the king's heir, or the marriage of his eldest daughter. Holders on knight's service, fully clad in mail, and mounted, followed their lord to the field. Scottish service, again, mainly existing north of Forth, meant a general war-levy by the land-holders—a levy, not of mounted knights, but of men on foot without defensive armour. Bondmen, or *nativi*, were sometimes called out. Bows, axes, swords, dirks, and spears were the weapons. The leaders and land-holders, under this Scottish service, were thanes, and charters still exist by which a thanedom, held on "Scottish service," is converted into a barony, held on knight's service. We may say that Scottish service practically endured, in Celtic districts, till 1745, when Barisdale, for Lovat, sent the Fiery Cross through the Airds, and Invernahyle sent it through Appin, in the cause of King James. Thus we have, in feudalised Scotland, a hierarchy of the free, and free-holders, from earls, greater barons, lesser barons, thanes, to the smallest chartered free-holders, lease-holders being also free. Thus, wherever feudal law reached, under the descendants of Malcolm, the tribe yielded place to the king. From him, not from the tribe, lands were now held (often through *mesne* lords, of course), and, by the *noblesse* and gentry, were held by charter on the terms of military service in either kind (knightly or Scottish), and of contribution to feudal aids.

But between such free-holders and the *nativi* a kind of middle class, with its own grades, was gradually interposed. We have

only alluded, so far, to the lease-holders who composed part of this class. They were free, indeed, but were not possessed of charters; they were free tenants, not gentry. First came tenants holding on lease, for a term of years, or for one or more lives —these men could sub-let to lower tenants. This class appears to answer, more or less, to the Highland tacksmen of the last century, who, however, were reckoned *gentlemen*. Thus Lochgarry and Barisdale, colonels in the Macdonnell clan regiment in 1745, were tacksmen and near kinsmen of Glengarry, having sub-tenants under them. This class would, when possible, convert their tack, or lease, into a chartered freehold. A larger class, free men but not chartered holders, were *firmarii*, farmers, holding from year to year. The Chronicle of Lanercost, in the time of Alexander III., mentions a farmer whose rent was raised yearly, though yearly his lord gave him his right hand on it that this should not be. "Give me your left," he said at last, "the right has so often betrayed me." Farmers holding in perpetuity but without a charter (like the members of the old tribe beyond the third generation) were "free farmers," and could "go where they willed," after resigning their holding into the hands of their lord. Next came the husbandman, the tenant of a "husbandland" of twenty-six Scots acres, paying a rent, and services which often, as time went on, were commuted for money. This class was encouraged by Alexander II., probably by fixing the sites of their holdings, as against the old habit of shifting them periodically. The free labourer, "the man with a cow" and a cow's grass, seems also to have been extant. These classes would supply spearmen for the War of Independence.

In addition to the lands thus held under the new Norman form of feudalism in Scotland, we have to reckon the large estates of the Church. Though kings and nobles bestowed lands on abbeys, perhaps primarily in the interests of their own souls, yet the comparatively peaceful conditions of Church property, and the attention which the monks paid to agriculture, set a comparatively high standard of farming—a type to which secular estates would gradually conform. From a rental of the Abbey of Kelso in 1290, Mr Cosmo Innes has drawn a picture of agricultural and social conditions in the most favourable circumstances. While Selkirkshire was still mainly "The Forest of Ettrick," partly Royal chase, partly sheep-walks, pleasant Teviotdale was already "blythe with plough and harrow." Each abbey barony (held by a Church-baron) had for its centre

a grange, a large farm-steading, superintended by a monk or lay-brother. Near the grange was its mill. Here we at once note a difference between the Lowlands, as early as 1290, and Celtic Scotland as late as 1745. In Lochaber, Lochiel, in 1745, had just succeeded in erecting one or two water-mills. But these, owing to the long distances and difficult paths, were little used, and the Camerons still plucked up their ripe corn by the roots, burned the straw, and ground the grain in *querns*, or hand-mills.[16] Five hundred years earlier, the monks of Kelso, and doubtless of Melrose, Paisley, and the other great religious houses, had done what, in 1745, Lochiel was only beginning to attempt for his Celtic clansmen. Near the mill, in 1290, was a hamlet of thirty or forty cottar families. Each head of a house had a cottage, a holding of from one to nine acres, and pasture for two cows. The money-rents were of a few shillings, with a rent in grain, and certain duly stipulated and recorded services, such as sheep-shearing, harvest-work, and cartage. For these "the stipulations were exceedingly precise," whereas, down to 1745, Celtic services (dating from old days of *herbary*, or giving free quarters) were vague, unwritten, and might be made grievously oppressive. In certain abbey services, of the thirteenth century, the husbandman received his food from the abbey, in others he provided for himself. Even then (1290) services were beginning to be commuted for money, a change which, on Glengarry's Highland estates in Knoydart, did not come into operation till 1770-1780. These are striking examples of progress in the English South, and of conservatism in the Celtic North of Scotland.

The holdings of these cottars were precarious, while that of the *hosbernus*, or "bonnet laird," was hereditary; though he also paid a money-rent and services to the abbey. Above him were the great Church vassals, who ranked only beneath the baronage and free-holders of the Crown. Below all freemen, on Church as on secular estates, were the *nativi*, who were bound to the land, and transferred to new owners when estates changed hands. With the crofts of Adam of the Hog, and his brother William, Adam and William themselves, "with all their following," were handed over to the abbey by a benefactor (1280).[17] Such serfs it was one aim of the Church to emancipate. The latest known warrant for recovering a fugitive serf is of 1364. But philanthropy in churchmen, and the burgh privilege presently to be described, were probably not the

chief, though they were the most picturesque agents, in emancipation. Free land-holders found ready money the most advantageous fruit of their possessions. "Services" and right to free quarters soon became relatively undesirable. Payment of a money-rent marked off the personally free man, not noble, from the absolute bondman. Just as in the Highlands after Culloden, so in the Lowlands of the thirteenth century, landlords preferred rent in money—or in kind, if money could not be got—to the old services. "It was the interest of the lord to convert his servile peasantry into a class of rent-paying farmers, henceforth free; or into free labourers who, by the grant of a cottage and a few acres of land, were bound as freemen to support themselves." Again, the need of fighting men, in the War of Independence, promoted the existence of a class of small military tenants: these were desirable, and these were freemen. Thus bondage ceased to exist in Scotland, not by legislative enactment, nor purely by aid of philanthropy, but mainly by pressure of circumstances and interests. The Church was foremost in the gradual process of emancipation, as in all agricultural improvements, such as wind- and water-mills, roads, folds for sheep, and general regulation of rural industry. But, under the civilising influences of the successors of Malcolm, free towns also came forward. The law of these burghs emancipated any serf who comes to the burgh, "buys a borowage" (a rood of land in the burgh), and abides there, unchallenged by his lord, for a year and a day.

Here the reader, familiar with this famous old usage, naturally asks himself, "How did the fugitive bondman find the means to purchase a borowage? How could he carry off his cattle, all that he owned, and sell them if his lord opposed?"

Mr Robertson suggests, not the conventional picture of a bondman running away to town under cover of night, like a negro slave making for the Northern States, but a migration of the bondman by the lord's assent, and with his sanction. The commencing burgess would pay his master well, out of his cattle, for leave to remain off his lord's land, to which he was "inborn."

David, who organised the land-system by charters, and who richly endowed the Church, was also the founder, practically, of the Third Estate in Scotland, the free burgesses of the towns. David, of course, did not bring burghs into Scotland as an absolute innovation, ready made. He and William the Lion rather

fostered, regulated, and formulised the rights, privileges, and duties of towns already existing. The elements of an early burgh are opportunities of trade, justice, and defence. The most "primitive" of races, the Australians, have their markets and trade-routes protected by custom. Greece and early Ireland made the protection sacred, putting the meeting-place for fair, festival, and deliberation under the charge of a dead hero: in Christian countries a saint took this charge. But, while such conditions are practicable among homogeneous people of one faith, the presence of a people hostile and alien in speech and creed requires warriors to protect justice and commerce. Hence, although defensive and trading *burhs* existed in England before the Danish invasions, these invasions greatly developed burh-building. When to a burh in a favourable environment were added the mote with its palisaded tower, and later the king's castle of stone, then the old defended *vill*, or *burh*, began to thrive to the estate of the feudal burgh: its customs, fairs, markets, and meetings now demanded regulation, military, social, and commercial charters were given, and freedom from toll (charge on the transference of commodities), with rights of exclusive dealing in the region assigned to the town, were granted. The rights of electing magistrates, and of being judged by them, according to the laws of the Burgh Court, accrued. There were obligations of watch and ward, there were Guilds (rather exclusive), and commercial regulations. A prosperous burgh became knit up with the shire, to which it usually gave its name. Whether military or not in origin,[18] the tendency of the burgh was towards commercial expansion, thanks to its fairs and markets. In such open marts, the only marts legally recognised, it would be especially difficult to dispose of stolen cattle. He who buys elsewhere than in these borough marts is therefore liable to be treated as a thief, if what he buys has been stolen.[19] The borough court, among other duties, had consequently to deal with disputes of the trade, and questions of legal or illegal sales. As traders took the place of the original military tenants of the borough, their houses and holdings would come to be paid for by a rent in money, "the typical tenure of a burgage tenement." Such was the rise of boroughs in England; in Scotland the institution was imitated by David. "It was the Anglo-Norman burgh, with its feudal castle, and its civic population, distinct and separate from the garrison, which was the model of the

burghs established, or confirmed, by David beyond the Tweed."[20] The laws regulating the boroughs established by David in Scotland were adapted from those already prevailing in England. Indeed, if we can trust a passage in a chronicle already cited, many Englishmen from the south of Tweed had been planted in the new Scottish burghs, as models. A record of the burgh laws and usages of Newcastle, in the reign of Henry I., "consists almost exclusively of the well-known burgh laws of Scotland.[21] The alderman and bailies were to be chosen "through the counsel of the good men of the town." These electors, the good men, *probi homines*, were, in effect, the *tota communitas* of the borough: the term *communitas* may be specially noticed, as it later occurs with reference to the *communitas* of the whole realm of Scotland, in a document of national importance. But all residents in the borough were not *probi homines*, not members of the *communitas*—not shareholders in it. We hear of "bondmen in burgh," artisans who were locked up if they tried to escape to "the upland." It does not appear that David gave charters to his burghs, but he sanctioned to the burghs in general privileges which such towns as existed must long have needed. As at St Andrews, bishops could confirm similar privileges to their good towns. The greater burghs had a kind of union among themselves, "a burgher parliament acting as councillor to the Chancellor, in judging of burgh causes appealed from his *Air* or circuit, and also making laws and regulations for trade and burgh affairs." "This is the Court of the Four Burghs,"—in the thirteenth century the four burghs were those of Edinburgh, Berwick, Roxburgh, and Stirling. A not very popular feature in burgh life was the forty days of service in warding the adjacent Royal castle, a service later compounded for by money payment to the constable. There were other burgh services, as of three yearly gifts of food to the castle. Every burgh had its hospital, mainly occupied by lepers, whom a scanty dirty life, perhaps, made common enough.

The great gulf between Celtic and Anglicised Scotland is indicated, about 1740, by Forbes of Culloden, when he writes: "From Perth to Inverness, and thence to the Western Sea, there is no town or village of any consequence that could be the seat of any Court of Justice the least considerable except Dunkeld." Thus the easy mode of emancipation by residence in a burgh, with all privileges of trade, and all chance of justice but tribal or chief's justice (except the king's on occasion), were things alien to the

Celtic population. Rich abbeys, too, were rare in the Celtic North, and thus everything combined with the mountainous difficult country to make the Gaelic-speaking people of the North a race separate, in all manner of conditions and institutions, from their Lowland fellow-subjects. These facts had a vast influence on the history of Scotland.

Among noted and prosperous burghs of this period was Berwick-on-Tweed, the chief centre of trade. From Berwick the Bishop of St Andrews, when he wished to establish a burgh, borrowed, as provost, one Mainard, a Fleming. Edinburgh, naturally, was a favourite burgh of David's, and its burgesses had exclusive rights of trade over a wide district. Rutherglen, a village in David's demesne, was created by him into a burgh, and the trading area assigned specially to Rutherglen included Glasgow. The Bishop of Glasgow later obtained privileges of trade for his pretty little town, which had suffered grievously from the tolls exacted by Rutherglen! The policy of the age favoured the system of commercial exclusiveness. A stranger merchant might sell his wares at no place in the sheriffdom of Perth, save at Perth itself. There are traces of an attempt to restrict the number of public-houses to Perth, except where a lord was permitted one tavern on his property. It is improbable that this rule was enacted in "the Temperance interest." When William the Lion built a castle at Ayr, he also "made a burgh," probably turned a pre-existing village into a burgh. The country was soon studded with Royal, noble, or Bishop's burghs, and probably no better picture of the burgesses in their daily life can be sketched than that which is accessible to readers of 'The Fair Maid of Perth.' The provost, in that romance, is a country gentleman, Charteris of Kinfauns, as at St Andrews the Learmonths of Dairsie were almost hereditary provosts. Scott has drawn an immortal picture of the provost's relations with such burgesses as Simon Glover and Hal of the Wynd, the armourer. We later find a case of private war between the Charteris of the day and Lord Ruthven about the provostship of Perth (1544)—for provosts, in these times, were apt to be noble protectors of a burgh, rather than representative citizens. The right of electing provosts, however it may have been exercised at first, dwindled into a mockery: a local magnate held the post, almost as a hereditary right.

Each burgh began with four wards, and each ward had its bailie. There was a watch, for police, "and at the stroke of a staff upon

the door, an inmate was bound to come forth from every burgher's house, and, armed with two weapons, to join in keeping watch and ward over the sleeping burgh, from *couvre-feu* to cock-crow, the houses of widows alone being exempted from this duty."[22] At the fair, a kind of saturnalia was (and is) permitted,—all manner of rapscallions of the minor sort might appear and do business: one may fancy violers and jongleurs plying their arts, and exhibiting their tricks, while travelling pedlars displayed their wares with freedom, and were amenable to the justice of a temporary Court of the Dusty Feet.[23] "Krames," or stalls, as now, were set out in the street, and the pedlar was as free to trade as the burgess for the day. The modern resident in a small Scottish town may, once a-year, form a fairly good idea of what a fair was like in an ancient Scottish burgh.[24]

In one important respect the history of Scotland differs notably from that of England. In England constitutional history presses itself upon our attention at every turn. The ages of Henry II., John, Henry III., and Edward I. abound with momentous constitutional struggles quite unknown to the contemporary Scotland. In Scotland, if there is any constitutional history at all (and there is a little) it does not fill the centre of the landscape, like the English Thames, but "seeps" obscurely in a secluded nook, like a northern moorland burn. The reason is obvious. The kings of Scotland lived within their income, the kings of England did not. The English kings had foreign possessions, and a foreign policy, expensive privileges. The foreign policy of Scotland, on the other hand, was for long almost limited to her relations with England. The early Scottish kings made no attempt to extort money which did not come naturally from their demesnes, rents, feudal aids, and fines in the courts of law, with such duties on merchandise as existed. They laid on no "evil tax," demanded no "tenths" or other percentages from clergy or people. Not only do the Scottish sovereigns appear to have restricted their expenses within the limits of their ordinary revenue, whilst they were never backward in displaying a regal magnificence when the occasion required, but they often gave evidence of a command of money which marks them as princes of considerable private means. No unusual assistance was asked from the nation when the Princess Margaret received 14,000 marks, "a noble dowry in Scotland," on her marriage,

while Henry could not pay his daughter's *dot*.[25] Manifestly there can be no "constitutional resistance" when kings are doing nothing "unconstitutional." We have in Scotland no Magna Charta, no Forest Charter, no *de Tallagio non concedendo*,—because we did not need them. It is a charming reason for our scanty constitutional history, which only begins under stress of the needs of William the Lion, Bruce, and James I.

The representative principle, again, was not anxious to attract notice in early Scotland. The desire "to get into Parliament" in this simple age did not exist—nay, mankind were only too eager to avoid a laborious attendance on an assembly which was certain to be attended by expense. With regard to parliamentary institutions, it has been said concerning Scotland, "The machinery of our [modern] government is of alien origin, and has reference to the history of another people"—namely, the English.[26] The burgesses of Scotland, after they obtained representation, formed "a separate Third Estate, *not* amalgamated, as in England, with the knights and lesser barons." These, in Scotland, were always classed with the baronage. In Scotland the Three Estates, till the Union (1707), sat and deliberated in one House. "The spirit of independence, with the habit of free discussion, which gradually became the characteristics of the English Lower House, existed, indeed, amongst the Scottish people; but for want of a similar arena for development, can scarcely be said to have been displayed in their House of Parliament, but will be found rather, after the Reformation, in the peculiar constitution of their 'Kirk.'"[27] It will be seen later how the institution of the Lords of the Articles, a select Committee of Affairs, and the great warlike power of factions of nobles, at different times helped to deprive the Scottish Parliament of the engrossing constitutional interest which attends the Parliament of England. For centuries "the Opposition" did not always come to Parliament; to do so was more than their lives were worth. Debate would have been conducted with sword and lance.

The germ of Parliament in Scotland is the king's court, composed of crown vassals. The actual assembly of these, on each ordinary occasion, would include, besides officials, Chancellor, Chamberlain, Steward, Constable, Justiciar, Marischal, few save the resident vassals of the shire or shires which chanced to be nearest to the place of assembly. We hear (1184) of a court

composed of "Bishops, Abbots, Priors, Earls, Barons, and other *probi homines*." "Sometimes the whole community," *tota communitas*, is included, meaning freeholders of gentle birth, whose assent is practically taken for granted, though, of course, all freeholders were not present, nor in any formal and exhaustive way were they represented. At great assemblies of this kind statutes were passed, charters were granted, disputes were settled; occasionally, when necessary, there was a consultation, "palaver," "Parliament," though the *word* was not yet in use. We have seen that a very large assembly of this kind at Birgham refused to pay the Saladin Tithe to the English king, probably with the good-will of the king of Scotland. The 'Chronicle of Melrose' assures us that public opinion could show itself hostile to the king's policy, that of diplomatising with England, yet he carried it out (p. 118). While taxation practically did not exist, except in the recognised form of feudal aids, there was no *locus standi* for Scottish constitutional self-assertion on the English model. The ransom of William the Lion was a regular and recognised feudal aid. We have observed William's promise to pay 15,000 marks to John in 1209. In 1211, the nobles promise 10,000 marks at a Great Council. The burgesses contributed 6000 marks to this amount; but they were in no way represented in the Council, and theirs must have been a voluntary aid. Burgesses do not appear with the clergy and baronage in these meetings till the days of John Balliol (1295), when the seals of Aberdeen, Perth, Stirling, Berwick, Edinburgh, and Roxburgh are appended to the record of a marriage arranged for Edward, Balliol's son. Thirty years later (1326) burgesses appear with the rest, and are consulted by Bruce on the diminution of the royal revenue.[28] Such were the beginnings of the Scottish Parliament, which never, as we have said, conformed itself to the English model.

In matters of justice, the period of David's reforms shows the king's justice coming in, and the rather wild justice of the tribe or kin going out. Under tribal institutions a man is in "solidarity" with his kin for good or bad. A man is slain; his kin then slay the murderer, or the nearest of his kinsmen whom they can catch, or they accept a blood-price for their kinsman, and drop the feud. The essence of murder is *secrecy*; for open manslaying the kin of the slayer pay a heavier fine

to the kin of the slain than for secret assassination, which they could not foresee or prevent. Remnants of this world-wide institution endured into the last century. Thus, in 'Waverley,' just after Prestonpans, Ballenkeiroch is anxious to keep up his feud with the Baron Bradwardine, who had long before shot one of his sons in a raid on Tully Veolan. "You are aware," says the Baron to Ballenkeiroch's chief, "that the blood-wit was made up to your ain satisfaction by assythment, and that I have since expedited *letters of slains*." These "letters" were a legal survival from the ancient days when, "Even if the king had *granted grace* to the offending parties, his pardon was of no avail unless it had been issued with the full knowledge of the kindred of the slaughtered man, who otherwise retained their legal right of vengeance on the homicide." [29]

Under David, the peace became the "king's peace" (Gryth), and offences against it were offences, not only against the injured man, and the kindred of the injured man, but against the crown. Every man was now obliged to find for himself a lord ("hlaford-socn," or "commendation"), as it were a surety responsible for him to the king. The king's court and the highways were "in the king's peace," and every one privileged to hold a court—earl, thane, baron, bishop, and abbot—preserved his own "peace" in the same style. Thus crimes were now offences not against the injured and his kin alone, as in tribal society, but against the king's or lord's peace. To check theft and plunder, purchases had to be made "in open market," before truthful witnesses, while a warranter affirmed that the property was honestly the vendor's own. If the property (cattle, as a rule) was later challenged as stolen, the buyer produced, if he could, his witnesses and his warranter. If nobody came forward with evidence to his good faith, he was condemned as a thief. This legal process, in the baron's court, was called *team*, and was a more civilised substitute for appeal to the sword. Special places were chosen for this process of *team* in each district. To find the warranter, and, indeed, to get justice at all, the aid of the vice-comes or sheriff and of privileged lords was necessary. To keep these same potentates honest was the well-meaning endeavour of the law, and a glance at Sir Herbert Maxwell's 'History of Galloway' will show how very difficult was the attempt. The holders of barons' courts in Galloway, in later days, not only connived at the freaks of useful followers, but were themselves

guilty of every kind of offence, including the selling of justice. But in good King David's golden prime, it is to be hoped that the gentry were commonly more law-abiding.

A man's defence when accused, or his accusation of others in the courts, was made, like everything else, by the help of kindred and friends. These were his *compurgatores*, which practically means that they were ready to take their oaths in favour of his case. In some instances, parties went on whipping up their kin and their *compurgatores*, till overridden justice was practically obliged to "shout with the larger mob." "The greater *tourbe*, the most numerous body of compurgators, carried the day."[30] In a much later age, an accused person of importance, John Knox or Bothwell, would come to his trial at the head of an armed *tourbe*, or gathering of partisans. The crowds of *compurgatores* must have had a similar, yet really in these days more legal, overawing effect on the decision of early courts. Mere witnesses to facts "are seldom or never alluded to." To bear witness that he saw John cut James's throat, or drive away his kye, was often more than a witness's life was worth. The witnesses would have had to "thole the feud" of the kin of the accused. To be a "kinless loon" in these days was worse than a mere social reproach. A man who may have been quite innocent, yet kinless, could neither get witnesses in his favour nor *compurgatores* to take oath to their belief in his cause. He must therefore have recourse to the ordeal, or to wager of battle. To walk on, or carry, red-hot iron, or plunge the hand into boiling water unharmed (as the ordeal demanded), is a feat which only very gifted persons can now perform. A poor man, of course, could not hope to bribe the officiating clergy, who regulated the ordeal. The clergy, like savage medicine-men in Africa to-day, usually worked the ordeal: the canons of Scone did so in an island of the Tay. Thus a kinless loon had no chance, except in the ordeal, by the forlorn hope of a genuine miracle, or by wager of battle. In the latter case, the legal authority could do no more than provide a fair field, and no favour. Doubtless this state of affairs encouraged, among the poor and friendless, the rigid practice of virtue. But, if a poor man were accused of an offence, and if his lord would not be bail for his appearance, then, *if acquitted*, he became his own man. "If the poor man oppressed had a respectable witness" (compurgator) "to swear to the truth of his charge, his plea became the king's plea, with all the prerogative

privileges attached to a royal suit." The oppressor, *if convicted*, had to pay a fine to the crown, and restore the poor man's property. But one can hardly suppose that the poor man often found his "respectable witness." A muscular kinless loon got no good by his thews, if his opponent were a knight or free-holder. A gentleman could not be expected to fight such a fellow; moreover knights and free-holders might do battle by proxy, choosing a plebeian master-of-arms as their substitute.

Upon all this older judicial system, David introduced the *Jugement del Pais*, or *Visnet*. Judgment was given at an assembly by "the free tenants," "the good men of the country," and sentence was pronounced "by the judge, sheriff (the king's representative), alderman, or bailiff, who was bound to leave the court during their deliberation."[31] Every free man, down to the burgess, was thus entitled to be tried by his peers.

The most important cases, the four pleas of the crown,—murder, rape, arson, and robbery,—were now withdrawn from the lesser and more corrupt courts. "It was intended that at least those great crimes and their punishment should be removed in some degree from private influence."[32] But Galloway men are not "to have *visnet*, but gif they refuse the law of Galloway and ask *visnet*." Galloway men usually preferred compurgation, ordeal, and wager of battle, which are certainly more dramatic forms of justice, and "set the genius" of the Celt better, than anything resembling trial by jury.[33]

The courts which administered such justice as could be hoped for were numerous. "To judge his people was still the ordinary employment of a Scottish sovereign in time of peace," and he usually went on annual circuits, from Inverness to Dumfries. David I. would record his decision by a cross cut in a tree, or by erecting a tall stone, in cases of territorial disputes. As there was no single fixed capital, the higher courts went where the king went. But, by the age of Alexander II., the monarch's judicial duties had come to be chiefly fulfilled by four Grand Justiciaries, two for "Scotia," one for Lothian, and one (who held no sinecure) for Galloway. Except in special cases, these men judged "the four pleas of the crown," already described. The introduction, with feudalism, of Roman law, presently made learned "clerks" necessary adjuncts to the justiciaries. The "clerk," in Scotland, became the Lord Justice-Clerk in the long-run.

After the royal court came courts of regality, the judge being the local earl, greater baron, or churchman of importance, bishop or abbot. From this judicial province of theirs arose, partly, the power of later Earls of Douglas, and other unruly peers, the curse of Scotland under the Jameses. Next in order came the court baron (like the Baron Bradwardine) with right of "pit and gallows." As the Baron, in 'Waverley,' used to observe, "the lands of Bradwardine, Tully Veolan, and others, had been erected into a free barony by a charter from David I., *cum liberali potestate habendi curias et justicias, cum fossa et furca*—pit and gallows,"—also with *team*, the institution already described, for verifying ownership of property.

There were also freeholders' courts, often held on "Moot Hills," and attended by the freeholders of the barony.

One point in early Scottish feudal administration is of considerable perplexity. This is the sway exercised over regions of varying extent by royal officers—earls, vice-comites (sheriffs), and thanes. During the Celtic period, Scotland had been divided into seven, as Ireland was divided into five, provinces. These were originally ruled each by a *ri* (*rex*), king, or kinglet. But, as the central royal power increased, these provincial rulers came to be replaced by *mormaors*, great *maors* or stewards, "the old Scottish equivalent of the earl," dependent on the king, while only Moreb, or Moray, sometimes gives the title of *ri*. The Northmen naturally spoke of these *mormaors* as *jarls* (our earls), and, as feudalism advanced, feudal earls they became. Under the *mormaors* were the *toisechs*, tribal captains originally, of whom something has already been said. By the time of Alexander I. the *mormaors* have become the seven earls, and bear the title of *comites*. Their relation to the crown had become official: they were the king's representatives. To the people of their provinces, on the other hand, their relation had been rather that of tribal chiefs than of territorial magnates. David's aim was to make them hold their territorial provinces as earldoms of the crown. Later princes, while still converting old provinces into feudal earldoms, added new earldoms to the number already existing. As the earl succeeded the *mormaor*, the thane succeeded the *toisech*—*toisech*, indeed, is used, in Celtic, for *thane*. But there are far more *thanes* than there had been *toisechs*. Both classes represented royal authority, in justice and other matters; but in addition to them there was now appointed the *vice-comes*, sheriff, or *shire-graff*, who, whether his office was hereditary or not, "was

nominally the servant of the sovereign, while all his official acts were, or ought to be, for the benefit of the Crown, and the furtherance of Government business." The realm of earl or thane was bounded by his own feudal rights of property; the region of the sheriff had a fixed arbitrary limit, the boundaries of the shire or county.[34]

The sheriffdom was introduced by degrees, in all the more settled parts of Scotland, "the *vice-comes* (sheriff) assuming the prerogative of the maor." Thus we have seen that the wild Celtic region of Argyll was made into a sheriffdom. Under William the Lion (1180) it was decided that no one was to hold courts of justice or of ordeal "*except in the presence of the sheriff*, or of one of his sergeants," unless, indeed, these officials failed to come when summoned, in which case the court was held as usual. "In every province the sheriff was to hold a court every forty days" (1197), and the earls were now excused attendance, being allowed to appear by their stewards or seneschals. Thus, on the whole, from David's time onwards, the royal justice, represented directly by the sheriff, kept encroaching more or less on the justice of earls, bishops, and barons, except where these were specially privileged.[35] The process, in fact, tends slowly to substitute central royal authority, sheriffs, juries, witnesses, for individual power, ordeal, compurgation, and trial by battle. But hereditary jurisdictions were not wholly abolished till after Culloden. Thus local justice, of the curious kind which we have sketched, was at every man's door, and he could be acquitted, branded, mutilated, fined, or hanged, without the trouble and expense of a long journey.

It must be remembered that, besides Crown procedure of the rough-and-ready sort described, Church procedure existed in a form much more refined, with rules, and precedents, and laws emanating from councils and popes. A typical instance of a trial of a civil cause, between the Abbot of Paisley and a layman, Gilbert, son of Samuel, who held some of the lands of the monks on the Clyde, is given by Mr Cosmo Innes.[36] First the Abbot of Paisley got a papal commission for three persons to recover the lands. They are the Deans of Carrick and Cunningham and the master of the schools of Ayr, proving the importance of this educational character. These three papal commissioners sat at Irvine: the monks then put in their plea, and called witnesses to prove that the lands really were the Abbey's. We have Alexander FitzHugh, whose memory

ran to more than sixty years. He remembered Bede Ferdan dwelling in a big wattled house, and holding these very lands in dispute from the Church. His only rent was the "service" of entertaining strangers. One Dugald, "son of the great Earl" (of Lennox, Alwin FitzArkil?), then confessed to the malpractices by which he, a priest, had let the lands glide into lay possession. Poor Bede Ferdan was killed in defence of the Church's rights and of his own easy tenure. Most of the witnesses have Celtic names, as Malcolm Beg and Gillekonel Manthac. *He* is brother of the Earl of Carrick, a Celt holding that earldom before the Norman Bruce. Gilbethoc and Fergus are other Celtic witnesses.

The papal commissioners now tell the Bishop of Glasgow that the Paisley monks have proved their case, and their right to the lands held by Gilbert, son of Samuel. That contumacious person merely sat tight to his estate, and scoffed at sentence of excommunication. The commissioners then asked the king, Alexander II., to stretch out the secular arm against Gilbert, but nobody knows the result. The affair gives a glimpse into society on the Clyde, mainly Gaelic, in the year 1233. We see that wattled house, and note that the Celt is not yet dispossessed.

As to revenue, "taxes, in the modern sense of the word, were unknown."[37] All land, except Church land, and land "in noble tenure" that was crown property, paid rent, administered by the Chancellor. Knights, as we said, paid only feudal aids, on the knighting of the king's eldest son, the marriage of the eldest daughter, and the ransoming of the monarch, if captive in war. The royal burghs paid rent for each burgess holding, with tolls and dues. Fines under the four pleas of the crown also accrued. Vassals paid money on the marriage of their daughters.[38] Heirs paid fines on succession, and wardships of noble fiefs during a minority were a large source of profit: they included the right of selling the marriages of heiresses. While a bishopric lay vacant its revenues came to the king. But the chief source of revenue, apart from such windfalls, was rents. Many of these resources accrued to every freeholder who had a right to hold a court.

The army was composed, first of holders by knight's service, the feudal chivalry, with the men-at-arms whom they were bound to furnish, and, next, of the mass of men fit to bear arms, under "Scottish service," already described. The former class were cavalry in full defensive armour, the latter were archers and spear-

men, including, in Bruce's wars, every "man with a cow." The two chief leaders were the Constable and the Earl Marischal; these offices were hereditary, the former, finally, in the house of the Earl of Errol (Hay); the latter in the line of the Earl Marischal (Keith) whose descendant's last appearance in arms for the king was at Glenshiel, in 1719.

In thinking of Scottish society at this time, we must remember that the high clergy, earls, and great barons were all like little kings, holding courts with power of life and death, with chancellors, seneschals, chamberlains, corresponding to the royal household, followed by knights and thanes who held from the lords, who again enjoyed free towns and had burgesses dependent on them. The Bishop of St Andrews was very rich, he of Glasgow came next in wealth. But Popes taxed the Church in Scotland to the extent of about three per cent, and in the end of the thirteenth century the Pope re-estimated Scottish ecclesiastical property, which had immensely increased in value. The task was performed by Benemund ("Bagimond") de Vicci in 1275; the object was to collect a tenth of benefices for relief of the Holy Land. The clergy resisted, and protested in favour of the old rating. The Pope was firm, and "Bagimond's Roll" was long the basis of taxation ecclesiastical.

About daily life, but scanty gleanings of information can be gathered. The nature of existence among the populace can be conjectured from analogy. Kings, laws, and creeds make little difference in the ways of rural populations. A man who supports himself by fishing, ploughing, or cattle-tending lives much the same sort of life, subject to conditions of soil and climate, in all ages. The Highlander had his cattle to watch, his game to hunt; the Lowlander had his fields to plough, his boat for sea-fishing, his charge of sheep on the hills, and these cares must have varied but slightly through the centuries. Christianity had brought some new duties—church-going and the sacraments—but the ancient gods retained the Fairy Wells, and were propitiated (down to our own day) by sacrifice and other ceremonies in time of scarcity. Thus, in 1818, a very singular ceremony was practised in a Highland sea-loch. Shoals of herring had come in, but they always escaped the nets. Holy fires were therefore lighted at various points, a black cock was sacrificed, and its blood was sprinkled on the water to remove the spell. In our own day, during a cattle-plague, a Galloway farmer buried a calf alive. The need-fire, some eighty years

ago, was lighted by friction of a wheel, to set flame to wood for some piacular purpose, during a cattle disease. A wise man in Argyllshire has, since 1893, been employed to relieve cattle from the effects of the Evil Eye. This tenacious grasp of old pagan beliefs, which the Church either sanctioned by a saintly colouring or denounced in vain, proves the practical immutability of peasant existence before the rise of compulsory education and the newspaper press. Folklore speaks clearly on this head. The daily life of the Scottish populace did not alter much, whether Celt, or Englishman, or Norman wore the crown.

A question of perennial human interest is, How were men fed? But poorly, we may infer from the prevalence of leprosy. In Henryson's famous poem about the later fortunes of Troilus and Cressida, the fair deceitful lady becomes a leper, and begs among the leprous folk at the gate of Troy. No such idea could have occurred to Homer: leprosy, though known in Scripture, scarcely occurs in Greek literature—in the Greek epics never. Thus the classical life must have been healthier, better nourished, cleaner than that of the Middle Ages.

As to food, oats, wheat, barley, pease, and beans were all raised in tolerable abundance. Of these, by far the most prevalent crop was oats. It furnished the bread of the lower classes; and the ale which they drank was brewed from malt made of this grain.[39] In the malt-kilns and breweries which documents prove to have been attached to the agricultural hamlets, oats were reduced into malt and brewed into ale. The Picts, by legend, are credited with the secret art of "brewing the yill frae the heather bell," but the mystery perished with "the Last Pict." Edward I. in his invasion of Scotland did not disdain the use of oat-malt for his armies; and much later, after Flodden, a bishop pronounced the Scottish beer to be peculiarly excellent. The great multitude of recorded breweries prove that the Scot had plenty to drink, while the monstrous wine-bill of Alexander III. (which John Balliol was invited to pay) shows that the upper classes dealt freely with Bordeaux for liquor. In addition to oaten bread, wheat was in use, at least by the wealthier orders, and, no doubt, "pease bannocks" were not disdained by the poor. The records of payments in kind (*can*, or kane) show that cheese, butter, and poultry were made, or bred, on the farms.[40] Mutton was provided from the flocks on the Border sheep-walks; swine, it is plain, were less unpopular than they have since been in

Scotland, and at Martinmas beeves and pigs were slain (or sacrificed in remote districts), and salted down for winter consumption. It seems probable that salt meat, with great scarcity of fresh vegetables, may have been one cause of leprosy. The rivers and estuaries of the country still abounded in fish, and the right of salmon-fishing by nets or "yairs" (coops) was jealously guarded by land-holders. Probably enough shell-fish were a staple of the Celtic seaside population, as was the case till late in the last century. Milk and cheese made a considerable part of the food-supply among the men of one cow. The poor were probably hardier than the classes which now seem to live chiefly on stewed tea, bread, and cheap jam. The clothes of the lower classes were of homespun wool, and probably, in look and odour, the stuff was not unlike the "tweeds" now wrought in the cottages of Eriskay.

The men of the middle ages, of course, were inured to war, to plundering and being plundered, to burning houses, and to seeing their own huts burned. Every man was a potential warrior, just as the Highland clansmen were up to 1745. For the rest, the life was coarse. There was hard work, an occasional foray, a sufficiency of popular feasts, mummings, dancings, the rural rituals of harvest and of Yule. The literary culture was oral,—there were songs, sometimes on public events, sung by girls as they danced: there were world-old *Märchen* told in the ingle-nook: in the Celtic region there were heroic ballads chanted, proclaiming the renowns of legendary heroes. *Jongleurs* and harpers sang, at fairs and in granges, told romances, conjured, as they wandered through the land. The court, always moving about from town to town, brought colour and spectacle, the sight of scarlet and gold. The life was not one of monotonous mechanical labour under clouds of smoke and in a poisoned air. As to "book-learning," it was not a common recreation, but we probably exaggerate the popular ignorance of the middle ages. The early schools of Ireland, and of the Columban Church, are famous. Long before St Margaret, the educational organisation in Scotland had the grades of *scoloc*, *rector scholarum*, and *ferleigiun*, or lecturer. The scoloc was the clerk preparing for priest's orders, the divinity student, and he was apt to be a noisy character. Ailred of Rivaux was in Galloway at Kirkcudbright on St Cuthbert's day (1164). He saw a bull dragged by ropes from the field, "to be offered as an alms and oblation to St Cuthbert." The scolocs thought this a good opportunity for a bull-baiting in the churchyard.

When remonstrated with, one of them denied the presence or power of the saint, "for all his well-built stone chapel." The bull then pinned this advanced thinker, to the general edification.[41] The parish churches, built under the sons of Malcolm, were centres of education, the grades of scholar, master of the schools, and lecturer, still surviving. The monasteries, as a rule, had their schools. The monks patronised education, both in burghal and monastery seminaries. If one may judge by the analogy of France, as investigated by M. Siméon Luce, primary education—reading, writing, and arithmetic—was by no means so rare as we are apt to suppose. But there were not many books to read. "Song-schools" were common, the education of music existed, and choristers, at least, were necessarily able to read music. The mere neighbourhood of an abbey or cathedral, in the long process of erection and adornment, was, in itself, a liberal education. We may remember how, in the first iconoclastic outbreak of Reformation, the Kirk of Mauchline was guarded against Wishart, because it had a tabernacle beautiful to the eye. There was no beauty in the Kirk of Mauchline (except among the lasses) when Burns sat under its worthy minister. The Reformers had reformed everything lovely out of the way. On the other hand, the ancient Church provided an education in things beautiful,—architecture, music, sculpture, painting, vestments, services, of a kind from which Scotland has long been divorced, and all this in addition to reading and writing. There were village, parish, or small burgh schools, and an amusing miracle of St Cuthbert's was wrought when a bad idle little boy locked up the parish church at Norham, and threw away the key, hoping that his private indolence would escape notice in the public hubbub. Churches in Scotland now are, as a rule, *not* open on "lawful days," except one, at Tain, which is shut up on Sundays.[42] There were also "High Schools" in the larger burghs, and poor boys of merit were well instructed in the monasteries, the monks taking fees only from scholars of wealth and birth.

The age was one of church-building, as has been said, but Scotland is poorly supplied with surviving examples. During the Reformation, and probably before the Reformation, parish churches were allowed to go to ruin. The greedy heritors grudgingly supplied the place of the fallen fanes with the familiar barns which the austere reaction against Roman beauty of art did not resent. At Leuchars, near St Andrews, at Duddingstone, close to Edinburgh, at Dalmeny,

and elsewhere, survive fragments of Norman work: the round pillars, semicircular arches, and well-known ornament. In the melancholy ruins of the Cathedral of St Andrews, which was centuries in building, may be seen the evolution from the round to the pointed arch; while, used in the wall as ordinary materials, both in the abbey and the Chapel on the Rock, are fragments of Celtic carved work, spoils of some older church of the Culdees. An arch in the ruined chapel of Holyrood, another in the tiny chapel of St Margaret on the Castle rock, and a few similar examples, tell of the Norman style.[43] What Iffley church is (well-known to every Oxford man), the parish churches of Scotland doubtless were under King David. But the Reformation swept over them, and they are not. In the days of the kings of peace, the Alexanders, the "early English" style came in. It is the style of part of Elgin Cathedral, of Dunblane, of the fair and melancholy Sweet Heart Abbey, of Pluscardine, so lovely in its ivy-clad decay, of Holyrood, of battered Jedburgh, and of Dryburgh, where is the sacred grave of Scott, placed within hearing of "the music most delightful to his ear," the sound of Tweed. St Andrews "abbey kirk" is partly of this date, and that of Glasgow, for which the burghers are said to have taken up arms against "the rascal multitude," the mob of the Reformation. The War of Independence left Scotland with little money for building, and severed her from English influences. But Melrose Abbey is of the "decorated" manner; its description may be left to the author of 'The Lay of the Last Minstrel.' Trinity Church, Edinburgh, the foundation of Mary of Gueldres, widow of James II., has yielded place to a railway coal-depot,[44] as the beautiful carved oaken ceiling of the hall of Bishop Kennedy's college of St Andrews was broken up, and thrown away, by the wretched professors, who also pulled down the old tower of St Leonard's Chapel, mutilated the archway of the Pends, and actually built a gymnasium against the wall of Kennedy's chapel! Every kind of vandalism has sated the modern Scottish hatred of the old and the beautiful, and now we are threatened by the worst bane of all, "Restoration," sham antiques standing where they should not. Of domestic buildings raised in this age (the twelfth and thirteenth centuries), our ancestors have successfully obliterated all traces. We hear little of oppressions exercised from the castles of the nobility, as in the England of Stephen's time. Mr Burton,[45] indeed, holds that castles hardly existed in Scotland: Mr Skene differs from him, and Mr Robertson

avers that the nobles' castles "would appear to have vied with the usual residences of royalty in grandeur and extent." Bruce destroyed 137 castles, after the death of Edward I. Most assuredly the nobles had castles,—two of Bruce's have already been noticed. From Wallace's and Bruce's wars, fragments of Carlaverock Castle and of Kildrummie Castle remain. The rest have often been used, like the Roman station at Birrens, and the Cathedral of St Andrews, as quarries. Of the later square towers, with one chamber on each flat, with narrow "windows that exclude the light," and break-neck spiral stairs, we have hundreds. The cottages of the poor in the thirteenth century were probably much what they still are in parts of Moidart, and no civic buildings in the way of burghers' houses survive from the frequently devastated towns. The condition of the poor does not seem, except for doles from monasteries, to have been a pressing concern of the clergy. It is obvious that the lordship of parishes by monks was not likely to result in an industrious parochial priesthood. "The convent concerned itself but little as to the manner in which the vicar discharged his duties among the poor people."[46] For parochial purposes of discipline or advice, the regulars were probably but ill adapted. But they have a name to be good landlords in all senses, and, after the Reformation, the tenants found, as is admitted by Knox, that they had made a bad exchange of squires. In other ways, however, than in regular teaching and preaching, the Church contributed to popular education. Men and women, themselves dwelling in houses or huts of turf and wattle, cannot but have asked for explanations of the splendours in art and music which they saw and heard in chapel or cathedral, and the result was a kind of culture very unlike that now derived from novels, magazines, and newspapers, a culture full of refining influences. It is now almost unnecessary to insist upon these facts, which were so long obscured by the unhistorical spirit of triumphant Protestantism.

The century before Wallace was, historians say, the golden age of Scotland. Prosperity followed the growth of burghs, the beginnings of commerce, the improved agriculture, the more defined services of tenants, and the greater security of holdings. But Scotland, once and again, threw wealth and art away in her fight for independence, secular or ecclesiastical. Had Edward I. been able to keep what was conceded to him, without wilfully offending national sentiment, had England and Scotland been united after

the death of Alexander III., Scottish history would show more prosperous, but much less romantic and inspiriting. No Scots, had Edward succeeded, would have fought for France under the Oriflamme and the banner of the Maid—nay, the power of the united isle might have passed beyond Loire to the Pyrenees. Had Edward been a wiser prince, there might never have been a Covenanter or a Jacobite,—there would certainly have been no Bannockburn and no Flodden Field. The prosperity of Scotland might then have endured, though "Alexander her king was dead"; but we have now to see how, always under a show of legality, Edward I. caused his claims to be recognised, and then pressed them in a style which left to Scotland no alternatives but those of submission or of war to victory or death. She chose, in this strait, the better part.

NOTES TO CHAPTER VI.

[1] Stubbs, Constitutional History of England, i. 251, and notes. 1874.

[2] Stubbs, i. 252, 253.

[3] A. S. Chronicle, 1135.

[4] A good case of "broken men" is that of the Kennedys, MacUlrigs, who migrated to Knoydart, under Ulrig Kennedy, and fought under the Macdonald standard in 1745.

[5] Letter-Book of Alastair Ruadh, 1758-60. MS.

[6] Robertson, i. 287.

[7] Innes, Lectures, p. 73.

[8] Robertson, ii. 485, note.

[9] Robertson, ii. 484-501.

[10] Edward I., in 1306, meant to modify these laws.

[11] The hierarchy, as expressed in cows, ran thus, in these "Laws of Brets and Scots":—

The king	1000 cows.	
The king's son / The earl	150 "	
The earl's son / The thane	100 "	
The thane's son	66⅔ "	
The thane's grandson / The ogtiern	44 "	+21⅔ *den.*

Below these degrees of relationship to the thane, below the gentry we may say, come the

Carle / Villein	16 cows.

There seems to be no price for the slaying of a *servus*.

Cf. Robertson, ii. 285, where comparative tables of prices among other peoples are given.

[12] Will. Conqr., i. 30, 31. Maitland's Domesday, p. 51.

[13] See Vinogradoff, Villainage in England, especially chap. ii.

[14] Vinogradoff, p. 74.

[15] Innes, Lectures, p. 51.

[16] MS. 104, King's Collection, British Museum.

[17] Their names are not Celtic, though they are *nativi*. But, of course, labourers of Celtic origin may conceivably have taken English names.

[18] Compare the I.D.B. or Illicit Diamond Buyers of South Africa.

[19] Maitland, pp. 172-219; Robertson, i. 295.

[20] Robertson, i. 297.

[21] Cosmo Innes, Scotland in the Middle Ages, p. 154.

[22] Robertson, i. 302.

[23] Piés-poudrés: *κονίποδες*.

[24] See Appendix D, "The Evolution of Burghs," where authorities are cited.

[25] Robertson, ii. 115.

[26] Innes, Scotland in the Middle Ages, p. 199.

[27] Robertson, ii. 154.

[28] Act. Parl. Scot., i. 115.

[29] Robertson, i. 268.

[30] Robertson, i. 267.

[31] Robertson, i. 281.

[32] Innes, Scotland in the Middle Ages, p. 192.

[33] The ordeal is familiar to African and other savage tribes, and wager by battle exists among the natives of Australia.

[34] J. Hill Burton, Hist. of Scot., ii. 130.

[35] Robertson, i. 438-440.

[36] Lectures, p. 214 *et seq.*

[37] Robertson, ii. 128.

[38] M. Vinogradoff says, "Of all manorial exactions the most odious was incontestably the *merchetum*, a fine paid by the *villein* for marrying his daughter." M. Vinogradoff distinguishes between this oppressive exaction and the money paid by a *vassal* on a similar occasion. "The *maritagium* of military tenure has, of course, nothing in common with it, being paid only by the heiress of a fee, and resulting from the control of the military lord over the *land* of his retainer." The villein's *merchetum* "sprang from *personal* subjection" (Villainage in England, p. 153). See, however, Innes, Lectures, pp. 52, 53.

[39] Tytler, i. chap. vii.

[40] It is only within thirty years that the endowments of the professors of St Andrews ceased to be partly paid in "kane hens," which were notoriously skinny.

[41] De Admirandis Beati Cuthbert Virt., p. 179. Surtees Society. Cited by Mr Lindsay in Transactions of the Glasgow Archæological Society, New Series, 1885, vol. i. pt. i. p. 17. The remarks here made on Scottish education are borrowed from Mr Lindsay's interesting essays.

[42] You may also enter St Giles', in Edinburgh, *on payment of a fee*, even on "lawful days."

[43] Innes, Scotland in the Middle Ages, p. 295.

[44] Innes, *op. cit.*, p. 302.

[45] J. Hill Burton, Hist. Scot., ii. 183.

[46] Innes, Scotland in the Middle Ages, p. 133.

CHAPTER VII.

TO THE DEATH OF WALLACE.

THE death of Alexander III. left Scotland under the curse, "Woe to the kingdom whose king is a child." Queen Margaret, the accepted heiress of the crown, was an infant in "Noroway over the faem," separated from her own country by dangerous seas. Men therefore looked at once to Edward on Alexander's death. The Bishops of St Andrews and Glasgow, in the names of all present at the king's funeral, sent to the English king two priests with a secret verbal message.[1] Six custodians of the realm were appointed—the Bishop of St Andrews (Frazer), the Earl of Fife, and the Earl of Buchan (Alexander Comyn), the Lord of Badenoch (John Comyn), the Bishop of Glasgow (Wishart), and James the Steward.[2] Three took charge north and three south of Forth. The distinction—nay, enmity—between the Scots north of the Scots water and the English subjects of Scotland south of the Scots water still existed. Of this a curious proof may be given. In 1296, the burghers of Stirling appended the common seal of the burgh to the record of their oaths extorted by Edward I. The seal represents the stone bridge over Forth. There is a crucifix in the centre, like *La Belle Croix* on Orleans Bridge (1429). On our right, men with spears aim them at men with bows on our left. Above the spearmen we read, *Hic armis bruti Scoti stant;* above the bowmen, *Hic cruce tuti.*[3] Thus the *bruti Scoti* ("Hieland brutes") are distinguished from their neighbours and foes, the Christians south of Forth. Such was the temper of the disunited realm![4] Five of the Guardians, including the Steward (FitzAlan), appear to have been of Norman lineage. These Normans were in a sense the making, in a sense the curse, of Scotland. Lords

of Anglo-Norman descent, even when they had a strain of Celtic blood through heiresses, lords holding lands "in England and in Scotland both," could have little or no "national sentiment." "Patriotism" must inevitably be a meaningless word to them. The prelates, on the other hand, had a definite interest in maintaining the independence of the Scottish Church. The commons, we may be sure, had no love of more Norman masters or of cruel English laws.

Thus the coming resistance to England was essentially a popular and clerical movement, at the head of which, later, the Anglo-Norman Bruce only placed himself in stress of personal danger. The succession was not likely to be undisputed. The Council of Regency already described had been appointed at Scone on April 11, 1286. Within six months a group of nobles met at Bruce's castle of Turnbery in Carrick—the place at which, later, the tide of Robert Bruce's fortunes turned—and entered into a "band" to support each other, "saving their fealty to the King of England and the person who shall obtain the Scottish kingdom being of the blood of Alexander III., and according to the ancient customs of Scotland." This phrase appears to contemplate some other successor than the Maid of Norway—some successor elected in accordance with "ancient Scottish customs." The nobles who made this band were Patrick, Earl of Dunbar, and his sons (House of Cospatric); Walter Stewart, Earl of Menteith; Bruce, Earl of Annandale, and his son, the Earl of Carrick; James, the Steward of Scotland (*Senescallus*), son-in-law of the Earl of Dunbar; Angus Mor Macdonald of the Isles, with Alexander, his son; Richard de Burgh, Earl of Ulster; and Thomas de Clare, brother of the Earl of Gloucester, a nephew of the wife of Bruce.[5] This band can only have been meant to support the claims of Bruce, who clearly contemplated an appeal to arms, and regarded himself, for reasons to be assigned later, as "of the blood of Alexander III." and also as heir "according to the ancient customs of Scotland." His party was of great and manifest strength.

Thus Margaret's accession, despite the oath to accept her, was not undisputed. In John Balliol's plea for the crown later, he alleges that Bruce and his son, the Earl of Carrick, attacked the castle of Dumfries and expelled the royal forces, also attacking the "chastel de Bot . . "—Botil or Buittle apparently[6]—Balliol's own hold.[7] Bruce was pushing his claims by force: what they were we

shall see later. He tried to override the decision of the meeting at Scone.

The parties of Bruce and Balliol were obviously at open feud for two years. Scotland, in 1289, was thus on the verge of anarchy and civil war. This was Edward's opportunity. Had he believed in his own claims he ought, as a matter of right, to have administered Scotland as a fief during Margaret's minority. This he did not attempt. His first idea, like that of Henry VIII. on the death of James V., was to procure a marriage between his son (later, Edward II.) and the infant Queen of Scotland, then in Norway. He sent to the Pope for a dispensation, the parties being cousins-german.[8] There seemed no better solution of the difficulties; and Edward had not, like Henry VIII., been constantly bullying Scotland and tampering with traitors. Before an answer to the request for a papal dispensation had been received, and before Edward's idea was made public, Eric of Norway, who owed Edward money, sent plenipotentiaries in the interests of his daughter, the infant queen. At Edward's request three of the Scottish Guardians—Frazer, Wishart, and Comyn—with Robert Bruce (father of the Earl of Carrick), went to Salisbury to meet the Norwegians and four English commissioners. The Scots were to negotiate, "saving always in all things the liberty and honour of Scotland," and "without prejudice." In the meeting at Salisbury (November 6) it was decided that the queen should be carried to Scotland or England: if to England, Edward was to deliver her to the Scots if Scotland was peaceful; and that it should be peaceful the Scots promised.[9]

Now the news of the Papal dispensation (granted on November 16) arrived; the Guardians met at Birgham, and welcomed the glad intelligence in a letter purporting to convey the felicitation of "the whole community."[10] They also asked Eric to send the queen his daughter to England for the marriage. There were delays, but on July 18, 1290, a treaty was concluded at Birgham. It was agreed (1) That the rights, laws, liberties, and customs of Scotland should remain for ever inviolable, . . . *saving* always the rights of the King of England, which belonged, or ought to belong, to him.[11] This was Edward's invariable loophole; he used it, in the matter of the Forest Laws, against his English subjects, to their indignation. (2) Failing Prince Edward and Margaret, or either of them, and in the case of failure of offspring, and in any case whereby the kingdom

should revert lawfully to the next heirs, "wholly, freely, absolutely, and without any subjection, it shall be restored to them, if perchance the kingdom of Scotland comes into the hands of our king or his heirs,—nothing by this provision being taken from, or added to, what the king possesses. The kingdom shall remain separate, divided, free in itself, without subjection, as it has hitherto been, still *saving the right of our own king.*" No Parliament is to be held on Scottish affairs beyond the marches. There are many other provisions, such as a separate Great Seal, always to be held by a Scot. No native of Scotland shall be compelled to answer at law out of the kingdom. But the phrase "saving the right of our king" really seems to leave the whole question as to what that right "is or may be" uncomfortably open. So it seems to a layman, but the attorney-like Edward later made all secure by causing Balliol to cancel this treaty.

A recent writer, Mr Hume Brown, justly remarks, "In the number and precision of its clauses, the marriage treaty bears signal testimony to the sensitive patriotism of the Scots." It does, indeed, but of what Scots? As we shall presently see, the nobles, men of mixed blood, and often holding lands north and south of Tweed, were nothing less than patriotic. No more patriotic were the Celts, some of them presently to be the waged men of Edward. The burgesses and commons, patriotic enough, cannot have dictated the terms of the Treaty of Birgham. Who did draw up the treaty? "The Churchmen had almost a monopoly of legal learning." "The Churchmen were the educated class."[12] The Churchmen were united, and always had been united, in resistance to England, unless Frazer of St Andrews is an exception. Others fell off, on occasion, in times to come. Thus we explain the "sensitive patriotism" of the treaty, in contrast with the reckless self-seeking of the nobles. The clergy saved Scotland's freedom. They later preached for it, spent for it, died for it on the gibbet, and imperilled for it their immortal souls, as we shall see, by frequent and desperate perjuries. Without them Bruce must have warred in vain. Scottish independence was, in part, the gift of "Baal's shaven sort," Knox's "fiends" (friars), and "bloudie bishops." Times were to alter, creeds were to change, but we must not forget these unequalled services of the Churchmen to the national cause.

Scotland, peers, bishops, barons, and "all the community," accepted the treaty. They were not so keen, centuries later, for a marriage between their child-queen and the son of Henry VIII.

In August, Edward took a strong and unwarranted step; he sent the Bishop of Durham "to hold the place of the queen in Scotland," and to act with the Guardians, among whom he might come to have a casting vote. The bishop demanded, in the king's name, "by reason of certain perils and suspicions whereof he had heard,"[13] the ward of the castles of Scotland! This was later the aim of Henry VIII. The Guardians declined to give up the castles, save to the queen and her husband when they arrived. Edward had meanwhile sent a ship for the queen's voyage, and we have the most copious accounts of its furniture, down to the sweetmeats. The ship returned without her, on June 17, 1290. She was to sail in a Norway vessel, by way of the Orkneys. She did sail, reached the Orkneys, and news of her arrival there was carried to Edward by William Playfair (August 19).

But to Scotland the queen never came.

On October 7, the Bishop of St Andrews wrote from Leuchars in Fife, where an ancient Norman church still remains, a letter to Edward. There had been, he says, at Perth, a meeting of the Scottish envoys lately in England, and of nobles, to consider certain ideas of Edward's. "The faithful nobles *and a certain part of the communitas*" thank Edward. His envoys, and the bishop, were starting for the Orkneys[14] to meet the queen, when a dolorous whisper arose among the people that the queen was dead, wherefore the kingdom is disturbed, and the *communitas* out of all hope (*disperata*). Bruce, who had not meant to attend the meeting, now hurried in, says the bishop, with an armed force. His intentions are unknown, but the nobles are raising their men. Civil war is at hand if Edward does not bring some remedy. It is hoped that the rumour of the queen's death is false. Meanwhile, if John Balliol comes to Edward, the king should be wary, says the bishop, to treat with him so as to secure his own honour and advantage. If the queen is really dead, Edward should come to the marches, that the rightful King of Scotland may be chosen, "so long, that is, as he chooses to adhere to your advice."[15] No other document inviting Edward's approach is known to exist. The queen had actually died in the Orkneys, unless we believe in a woman who, in 1301,

was burned in Norway for alleging that *she* was the queen, who had been kidnapped and sold by Ingebioerg, wife of Thore Hakonsson.[16]

The events between the death of the Maid of Norway (September 1290) and the conference at Norham (May-June 1291) are obscure. Edward's queen, Eleanor, died soon after the death of the Maid of Norway, and his grief is famous, attested as it was by architectural monuments. On October 14, Edward announced his intention of going, when possible, on a long-meditated crusade, having received from the Pope, Nicholas IV., six years' revenue of the tithes of *Scotland*, in addition to those of England, Ireland, and Wales.[17] But it appears that, soon after the death of the Maid of Norway, partisans of John Balliol were in arms for his cause. The celebrated appeal of Bruce *le viel*, and of the Seven Earls, is dated at the end of 1290.[18] These nobles protest against the conduct of Frazer, Bishop of St Andrews, and Sir John Comyn, Guardians. These partisans have ravaged Murray cruelly, have oppressed the Earl of Mar, and aim at securing the crown for John Balliol. Thus the excesses committed by Bruce's party, after the death of Alexander III., are being imitated by the party of Balliol. Bruce's adherents, calling themselves "The Seven Earls," assert certain electoral privileges as to which nothing is now certain.[19] The Seven Earls, therefore, now place their kin and property under the protection of Edward. Bruce, and the rest, assert his claims to the Scottish crown, based on an alleged choice of himself as heir (being nearest in blood) by Alexander II., about 1238, when the king was childless. This choice was accepted, they urge, by the Great Council, and recorded, but the record has disappeared. The strength of their case is that proximity in blood (Bruce's) is, by Scottish custom, preferred to remoter connection with the elder branch of the royal line, as in Balliol's claim. There is also an unsigned letter, plainly by Bruce *le viel*, who promises obedience to Edward, and offers to procure evidence (probably in favour of Edward's superiority) from "the ancient men" of Scotland. It thus appears that, towards the end of 1290, and after certain intrigues and onfalls, Bruce, with the rest of the Seven Earls, appealed to Edward as their legal protector and superior.

That Edward soon determined to settle the affair is clear, for, as early as March 8, 1291, he sent demands for chronicles and documents to the English cathedrals and monasteries. Numbers of pieces of various value, from Brut's expulsion of the Giants

to the submission of Malcolm Canmore (1072), were sent to the king. But "the honest English chronicle" is not once cited.[20] Edward now (April 16) summoned the lords of the northern counties to meet him at Norham, fully armed, on June 3.[21] His purpose was transparent. He was inviting the magnates of Scotland with the Bishop of Glasgow (Bruce's man) and of St Andrews (Balliol's man) to a conference at Norham, on May 10. They were allured by the distinct promise that their approach to him, on English ground, should not be construed as a precedent prejudicial to the realm of Scotland.[22] It was Edward's purpose to proclaim himself Lord Paramount, for he already had the votes of Bruce and his party. The other Scots would ask time to consider the question, and, when the time was over, Edward would be surrounded by his army. All occurred as he had planned. The conference met on May 10.[23]

Edward declared, in the opening speech of his Justiciary, that he came as Lord Paramount, and asked if he was so acknowledged. According to an English chronicler, some one answered that no response could be given while the throne was vacant. The reply was to the point. Who had a right to throw away the freedom of the King of Scots? Edward swore: "By Saint Edward! whose crown I wear, I will maintain my just right, or die in the cause."[24] Edward had no right, nor the shadow of a right, to the position of Lord Paramount, which, when yielded to him, he exercised to the fullest extent. To the incidents of homage or submission by Scottish to English kings we have given attention as the cases arose, and they do not sanction Edward's claims. A distinction should doubtless be taken between cases occurring before, and after, the full development of feudal law in England. Thus there is the alleged Commendation of Scotland to Eadward in 924.[25] Supposing the statement in the English Chronicle to be correct in essence, despite the patent inaccuracies in detail, that Commendation would not, when made, carry the full powers now claimed by Edward I. This is frankly acknowledged by Mr Freeman. Edward I., "as feudal superior, received appeals from the courts of the kingdom of Scotland. . . . We can hardly suppose that any such right was contemplated in the original Commendation (924): it is a notion essentially belonging to a later time. But it was no arbitrary invention of Edward's; he did but receive the appeals which Scottish suitors brought before him of their own accord. The truth is that,

when the commendatory relation had, in the ideas of both sides, changed into a strictly feudal one, the right of appeal would seem to follow as a matter of course, and neither side would stop to ask whether it was really implied in the ancient Commendation."[26] Now, in the Treaty of Birgham (1290), it is expressly stipulated that no Scot shall be obliged, in any legal cause, to answer "outside of the kingdom of Scotland contrary to the laws and customs of that kingdom, as has heretofore been reasonably observed." The case, contrary to Mr Freeman's opinion, was foreseen, and was safeguarded. But under Edward I. the King of Scots himself was soon to be compelled to "answer" in legal cases outside of his kingdom. This was explicitly a novelty, and a contravention of all previous freedom. No English king had hitherto exercised any such power over Scotland as Edward now claimed, except under the short-lived Treaty of Falaise, the marked and momentary exception which proves the rule.

For all submission of Scotland to England, even before the full development of feudal ideas, we have only the evidence of the English Chronicle, evidence not cited at Norham. The statements by later chroniclers, as Florence of Worcester, introduce feudal technicalities, alien to the English Chronicle and to early times. These novelties are not evidence. The undoubted submission of Scotland to Cnut, in 1031, is really, in details, a dubious affair, Macbeth being introduced as a king, by the English Chronicle, before he was even a *mormaor*. "That he held only a little while," says the Chronicle, and all such vague submissions did hold but a little while. It is not possible to accept the statement of the Chronicle, inaccurate in detail, as proof that, in 1031, Malcolm became "the liegeman of the King of all England for Scotland, Lothian, and all that he had" (Freeman), and that such were, henceforth, the relations of Scottish to English kings. As a matter of plain fact, the feudal rights of England, involved in such relations, were never either acknowledged or exercised. The whole affair of submission, before the Conquest, was vague, and, in each case, "held but a little while."

After the Conquest, we have Malcolm Canmore's submission to William, at Abernethy (1072). Malcolm became the Conqueror's "man," but what that implies is debated, as we have seen, between Mr Freeman and Mr Robertson.[27] And it is certain that, far from submitting to be judged by the courts of William Rufus (which

would have been in accordance with the claims of Edward I.), Malcolm went home, raised war, and perished. For certain manors in England, and a subsidy, Malcolm was ready to *obey* Rufus in the same sense, and to the same extent, as he had *obeyed* the Conqueror, for the same rewards. In neither case was submission to English courts part of that *obedience*.[28] It follows that Malcolm did *not* hold Scotland as a fief of the English crown, in consequence of the "submission" at Abernethy. Had he done so, he would, necessarily, have been judged in English courts. The Treaty of Falaise, by the express statement of Richard I., "extorted" liege homage from William the Lion for Scotland, "*per novas cartas*," William being a captive. That treaty was absolutely rescinded, and its mere existence is a proof that the submission "extorted" by it was a short-lived novelty. In 1237, at York, Alexander II. did homage to Henry III., for the lands received by him in settlement of his claims on Northumberland.[29] In 1278, Alexander III., at Westminster, did homage to Edward I. in these words (according to the English document in the 'Fœdera'), "I, Alexander, King of Scotland, become liegeman of Edward, King of England, against all folk." This statement Edward, we read, "received, saving his right and claim to homage for the kingdom of Scotland, whensoever they desire to treat thereof." But we have proved the invalidity of that record.

Thus the case stands: and we see that Edward had presented a tentative claim over Scotland even while Alexander III. lived, whether we accept the Scottish or the unauthentic English version of Alexander's homage. Again, when Alexander died, Edward, as the Pope later reminded him, did not venture to administer Scotland as a fief, during the minority of little Queen Margaret, as was his clear and undeniable right, if he believed in his own claim—which he probably did. He preferred to try his marriage project, as it saved discussion and dispute. But, the Scottish queen dying, he saw his chance and took it. He put forward his claim to be Lord Paramount, which must be accepted before he would save Scotland from civil war by deciding on a king. Edward was a strong, valiant man, with "a thread of the attorney" in his nature. He was strictly upright, in this sense—he had the faculty, invaluable to a moral politician, of being able to believe in the justice of his own cause, the flawless integrity of his own character, and the excellence of his own aims. He "sought extended opportunities of doing good" to "a race which needed his control."

All this is very English. Thus was the empire won. Had the Scottish race been content to accept Edward on his own terms, the Highlands would have been civilised, and the united isle would have been irresistible. Other peoples, confused and distracted as Scotland then was, ought, no doubt, to be grateful to England for annexing them and introducing them to the benefits of her sterling civilisation. They will kick, however, against the salutary pricks, and Scotland, to the detriment of her "progress," but to her eternal honour, kicked successfully. Scotland was, in fact, much too English to be subdued by England, as, later, America was too English for colonial dependence.

We left the assembly at Norham (May 10, 1291), at the moment when Edward, after asking whether he was accepted as Lord Paramount, swore his great oath that he *was* Lord Paramount, and would fight for his rights. The Scots asked for a delay, to consider the question. Twenty-four hours were granted to them, and then Edward offered a respite of three weeks. In three weeks his army, already summoned for June 3, would be around him. What the Scots did or debated in this interval is unknown. On June 2 the Scots met Edward at Upsettlington, opposite Norham, on Tweed. The question was, "Did they acknowledge Edward as Lord Paramount?" No demur is mentioned in "The Great Roll of Scotland," but Mr Burton points out[30] that the version of the Great Roll in the Chronicles of St Albans contains a passage which fills up a blank in the version in 'Fœdera.' This passage, after stating that while the bishops, earls, and nobles sent in nothing against Edward's paramountcy, adds that a reply, in writing, was given, in the name of the *communitas* of Scotland. "Nothing to the purpose" (*efficax*) "was put in by the said *communitas*." Nor is the *communitas* later mentioned as being again consulted. The reply of the *communitas* to Edward's claim is thus burked, and was looked on as a thing that might be neglected. Now the *communitas* consisted (apparently) of the free-holders, *probi homines*. How they met, apart from the magnates, how they consulted with each other, what precise form of protest they entered, we do not know. But they were Scots (in the modern sense), not Normans, and it is pretty plain that protest they did, though their missive has not been preserved, and is not chronicled, even in the Great Roll's official version. This must not be forgotten. There was patriotism among the Scots. It had declared itself in the minute precautions

to guard our freedom, at the Treaty of Birgham. It declared itself again in the reply of the *communitas*, probably drafted by clerical hands. What other hands could draft it?

While the competitors, eight being present, accepted Edward's claims at Upsettlington, the *communitas* had demurred. Their demurrer was cast aside as "not to the purpose." But they caused it to seem very much to the purpose, shortly, when the spears of the North took up the argument abandoned by the voices of the Anglo-Norman lords.

These lords, one by one, admitted the claim of Edward. The astute monarch then announced that, though as superior he was deciding on the claims of competitors for the Scottish throne, he did not, thereby, resign his own hereditary rights to the whole kingdom as property.[31] This meant the averment that Scotland returned to him, as property, from defect of heirs male, whereas he was acting as judge between competitors whose rights were those of *heirs female*. The competitors made no protest, but invited Edward's judgment on their respective claims.

A brief list of dates, now to be given, will illustrate the march of events after June 3, 1291, when, on Scottish soil, and in presence of an English army, the competitors, finally twelve in number, submitted to the claims of overlordship urged by Edward. On June 3 full submission to English supremacy was made. The cause was to be tried on August 2. On June 4 the competitors agreed to deliver seisine of Scotland to Edward, restitution to be made by him two months after his award. On June 5 were delivered the names of eighty men—forty selected by Balliol and Comyn, forty by Bruce—who should take cognisance of and discuss the various aspects of the claims and laws, and aid Edward in forming a decision. He himself named twenty-four other assessors. On Bruce's list we notice the Bishop of Glasgow, the Steward, and Colin Campbell. Balliol has the Bishop of St Andrews, and is strong in clerical support. He has also Alexander of Argyll (later so hostile to Bruce), and Murray of Tullibardine, and Herbert Maxwell. A curious chapter might be written on the loyalties and veerings of the eighty Scottish assessors.[32] All castles were delivered up by the Guardians on June 11: Edward restored them to office, but the Bishop of Caithness, an Englishman, was added as Chancellor. On June 13 the Guardians, with many nobles, swore fealty. At this date a characteristic intrigue was woven. Florence,

Count of Holland, was a competitor who had no valid claim, and no chance. Nevertheless, Bruce, Earl of Annandale, entered into a "band" with him on June 14. Each is to aid the other, and he who, of the worthy pair, succeeds to the crown is to hand over a third of Scotland to the other. The witnesses to this patriotic arrangement were the Bishop of Glasgow, Gilbert de Clare (the Earl of Gloucester), James the Steward, and others.[33] Bruce's object, doubtless, was to secure the aid and goodwill of these witnesses. Universal homage, even down to that of burgesses and prioresses, was next demanded by Edward, and was received, the king himself marching through the land as far as Perth. There was, and could be, no centre of resistance, so powerful were the competitors who had sold Scotland for a chance of a vassal crown. These competitors put in their claims on August 3, 1291, the reading being deferred to June 2, 1292, at Berwick.

A number of the claims rested on the alleged legitimacy of descendants of the royal Scottish house, through whom competitors claimed; and, in one case, Florence, Count of Holland, boldly argued that David of Huntingdon (from whom Balliol and Bruce traced their pedigree) was an attainted traitor, and that his blood, therefore, was disqualified. But the contest really lay between the descendants of David of Huntingdon, the younger brother of William the Lion. He had married Matilda, daughter of Ranulf, Earl of Chester. His eldest daughter, Margaret, wedded Allan of Galloway, and their daughter, Devergoil or Deverguila, was wife of John Balliol, a lord of lands both in Normandy and England. This lady's foundation of Balliol College in Oxford, and her bridge over the Nith at Dumfries, were the chief good deeds of the Balliols to Scotland. Her son John (himself perhaps a Balliol man) was now claimant of the throne.

Earl David.
|
Margaret of Galloway.
|
Devergoil, wife of John Balliol.
|
John Balliol.

John Balliol was thus great-grandson of the younger brother of William the Lion. But Bruce, *le viel*, the competitor, was a degree nearer to David of Huntingdon, being, not his great-grandson, but

his grandson by his *second* daughter. David's *second* daughter, Isobel, married Robert de Brus, Lord of Annandale, as well as of great English estates. Their son was the competitor: an old man, with a middle-aged son, and a grandson, Robert Bruce, later king. The Bruce competitor, in addition to his nearness by degree, relied on that famous choice of himself as heir by Alexander II. before he became the father of Alexander III., a selection apparently not proved, for lack of records, and extreme old age of witnesses.[34] The next, and, in one way, most interesting claim, was that of Comyn, Lord of Badenoch. As regards the stock of David of Huntingdon, he was only descended from a younger sister of Devergoil, named Marjory. But "the gracious Duncan," slain by Macbeth, had a son, Donald Ban, for a brief while crowned king of Scotland after the death of Malcolm Canmore. The daughter of Donald Ban, Bethoc, wedded the Comte de Pol, and had issue —a daughter Hextilda, married to Richard, great-grandson of Robert de Comyn sometime Earl of Northumberland after the Conquest. Of this Richard, Comyn the competitor was great-grandson, and was father of the Red Comyn, later slain by Robert Bruce in the Greyfriars' Kirk at Dumfries.[35]

Putting ourselves at the point of view of a Pictish legitimist, Comyn seems the most eligible man. Comyn, however, withdrew or stood apart, and only Balliol, Bruce, and Hastings (who contended that the kingdom was divisible, and he heir to a third—a contention later, but fruitlessly, adopted by Bruce) were left in the field. In 1292, June 2, the petitions were read at Berwick, and the auditors charged to determine the case as between Bruce and Balliol. At Berwick, on October 15, 1292, Bruce and Balliol urged their pleas. Bruce alleged (as we have seen) first, that Alexander II., in 1238, despairing of issue, had acknowledged Bruce as his heir.[36] Bruce averred that Alexander made this choice by the consent of the *probi homines* of his realm, he regarding Bruce as nearest to him by blood. Lord Hailes shows, with much relish, how Balliol's counsel should have replied: The evidence is remote, the witnesses superannuated. The measure, if Alexander wanted to take it, must, to be legal, have been done in the great Council of the nation.

But to this the Memorial of the Seven Earls answers that Alexander did appoint Bruce his heir before the great Council, who took oaths of fealty, which are recorded on the Rolls of the Treasury.

But the earls have no idea as to what has become of this record.[37]

It is not necessary to go further into the pleadings. Balliol was grandson of the eldest daughter of David of Huntingdon, brother of William the Lion. Bruce was son of David's second daughter. There is not a shadow of doubt that, setting aside Bruce's unevidential plea about Alexander II., Balliol was the rightful claimant. On November 17, 1292, Edward, at Berwick, gave judgment in favour of Balliol. He received seisine, and on November 20, at Norham, swore fealty to Edward. John was crowned at Scone on St Andrew's Day, again doing fealty to Edward on December 26.

Here, then, the great case was settled, and, as far as the modern rule of primogeniture is concerned, settled with perfect justice. Any king but King John Balliol, descendants of any king not of John's line, saving the Houses of MacWilliam and MacHeth, if extant, was, from a legitimist point of view, a usurper. But King John was predestined to failure. We know very little about the man, but (perhaps especially if he was over-educated at Balliol) he seems to have been the least Scottish, the least stalwart, of the competitors. Bruce probably, Comyn certainly, would have made his nobles understand that he meant to be obeyed. In the St Albans Chronicle we read that the Scots cried, "*Nolumus hunc regnare super nos!*" "But he, as a simple creature, opened not his mouth, fearing the frenzied wildness of that people, lest they should starve him, or shut him up in prison. So dwelt he with them a year, as a lamb among wolves."

Edward took advantage of John's lamblike character. He had not been king a month when, on a burgher's suit, he was informed that he must answer in Edward's courts. On January 2, 1292-93, a writing was put in, sealed by many lords, but not by the Bruces, whereby John acquitted Edward of all promises made by him to the king *and nobles* of Scotland. Edward also entered an indenture, protesting that he should not be hindered by any "interim promises," "while the realm was in his hand," "from doing justice in any appeals brought before him from Scotland." This was Edward's idea of *pactum serva!*[38] Thus he trampled on the treaty of Birgham. The greatest of the Plantagenets, the brave warrior, the open-handed friend, the true lover, the generally far-sighted politician, was not the false and cruel monster of early Scottish legend. But he was mortal. Clement by disposition and

policy, his temper could be stirred into cruelty by opposition. He had in his nature, too, as we have said, that thread of the attorney which the good and wise Sir Walter Scott remarked in his own noble character. This element is undeniably present in Edward's dealings with Scotland. He took advantage of her necessities, and of the weaknesses and ambitions of her Anglo-Norman foreign leaders, to drive the hardest of all conceivable bargains. Having decided the pleas in favour of Balliol, as was just, it was now in Edward's power to support Balliol, and to treat him with generous and statesmanlike forbearance. That course, and that alone, might have merged Scotland with England in "a union of hearts," and of interests. Edward took precisely the opposite course. "To Balliol, the vassal, he was uniformly lenient and just; to Balliol, the king, he was proud and unbending to the last degree."[39] Not satisfied with suzerainty, he was determined to make Scotland his property, his very own. The easiest way to do that was to goad even Balliol into "rebellion," and then to confiscate the kingdom of Balliol. This was what Edward deliberately did. The result was, that, far from winning Scotland, Edward converted that nation into a dangerous enemy, and presented France with a serviceable ally. Edward's end, to unite the whole island, was excellent. The end, however, did not justify the means, for the means were to press, in a pettifogging spirit, every legal advantage, to the extreme verge, or beyond the extreme verge, of the letter of the law.

It is unnecessary to set forth at length the humiliations which Edward designedly heaped on King John. He was summoned to appear in Edward's courts, in a territorial suit of the Macduff's house, in 1293. Again, Edward instructed the sheriff of Northumberland personally to summon the king to London, on a Gascon wine-merchant's bill for wine sold to Alexander III.![40] Contrary to the Treaty of Birgham, actions of earls (as of Macduff of Fife), and tradesmen's bills,[41] were constantly made excuses for dragging John into Edward's courts. He had to stand at the bar like a private person, and crave leave to consult his Estates before replying. Meanwhile, Edward himself was summoned into the court of his own feudal superior, the King of France (1293), on the score of a sea-fight between subjects of France and England. Edward refused to obey the summons, was declared contumacious, and "disseised" of his French possessions. He determined to resist, and King John of Scotland attended his

Parliament in London, promising military aid (May 1294). Edward now denounced his own homage to France, and, in 1294, was fighting in Gascony.[42] John was summoned to attend Edward in Gascony, with eighteen of his magnates (June 29). But John and his subjects, who met at Scone, had endured more than was tolerable. A kind of committee of "Twelve Peers" was appointed, according to the English chroniclers. John entered into negotiations with France, for an alliance, and a marriage between his son, Edward, and the niece of the French king.[43] The Bishops of St Andrews and Dunkeld, with two laymen, Soulis, and Umfraville, of the house of Angus, negotiated this affair. The clergy had no reason to love a king like Edward, who, in the following year, outlawed his own ecclesiastics for refusing to pay a tax.[44]

The result of Edward's Scottish policy now was, that he had driven Scotland into the arms of France. For centuries no English king invaded France, as Henry V. admitted, but he found a Scot in his path. From Baugé to the field of Laffen (1748), leaders of the English or Hanoverian royal lines were to fall or fly, like Clarence and the Butcher Cumberland, before Scots in French service.

Edward avenged himself on John by seizing his English property, and the English property of his subjects.[45] John replied by reciting his grievances, and renouncing his homage, as "extorted from him by violence."[46] He began to expel the English landholders out of Scotland, giving the lands of Robert Bruce (the future king's father: the competitor was dead) to John Comyn, Earl of Buchan.[47] Edward held the castles of Berwick, Edinburgh, and Roxburgh. The Scots replied by slaying English merchants at Berwick. Then Edward collected a large force at Newcastle, while the Scots, under Comyn, Earl of Buchan, and a son of Comyn, Lord of Badenoch (John Comyn, later murdered by Bruce), besieged Carlisle, which was held for England by Robert Bruce, father of the future king. There was thus already rivalry between the Bruces and Comyns. The Scots failed before Carlisle, and, meanwhile, Edward took Berwick, and, provoked by rhymed taunts, he ordered a general massacre (March 30, 1296).[48] The women seem to have been protected in some degree,[49] and Sir William Douglas, the commander, was held a prisoner. With him the Douglasses, perhaps of Flemish origin, first come prominently into the field where they were to play so many parts of honour and of shame. This William

was a high-handed ruffian, who had deforced the magistrates, and had beheaded one prisoner, while another died in his dungeons.[50] Balliol now formally sent in his refusal of allegiance (April 5, 1296), and the Scots avenged Berwick by wasting and burning Tynedale as far as Hexham. But they had no leader of genius, and no discipline. The English, under Warenne, were besieging Dunbar, recently taken by the Scots, when a huge disorderly array of Scots appeared on the high ground. Supposing that the English were retreating, they left their position, exactly as they were to do in Cromwell's day, were met, routed with a loss of 10,055 men, and pursued almost as far as the Forest of Ettrick.[51] Edward took the Red Comyn, Atholl, Ross, and Menteith. Thenceforward Edward's march through Scotland was a procession. Moved by *pietas*, he had invited all the outlaws and criminals of his realm to join his army.[52] The Steward surrendered Roxburghe, and swore fealty; young Robert Bruce (the future king) received back the people of Annandale to the king's peace.[53] On July 7, Balliol resigned his kingdom, and went into captivity. He lay for some time in the Tower, and was finally permitted to retire to his French estates. The nobles raced for the privilege of doing homage to Edward. Among others whose letters of submission are recorded, we find Patrick, Earl of March (and Dunbar), and Gilbert de Umfraville, Earl of Angus.[54] They ought not, therefore, to be reckoned as traitors, if, later, they give intelligence to Edward. The two Bruces also submitted, and took the oaths. Edward then marched about Scotland, seizing what he would, among other things some documents, the Stone of Scone, the Black Rood, and a portion of the True Cross, once St Margaret's. This, as he conceived, would be a useful talisman to take Scottish oaths upon, but the Scots always broke them.[55] Edward went as far as Elgin, receiving copious homages recorded in the "Ragman Rolls." "Simplicity," says Thucydides, "is no small element in noble minds." Edward, who had calmly repudiated all his own promises, was nobly simple enough to suppose that the Scots were likely to keep theirs. The Scots greatly perjured themselves whenever they saw an opportunity. Edward, despite his motto *pactum serva*, whenever he saw an opportunity, broke his promises.

During Edward's marches through the disunited country which, as Balliol says, he "conquered" in twenty-one weeks, several private incidents occurred, and were recorded. These also, as

pictures of life, are parts of history. William of Lodelaw (Will Laidlaw) was accused by three soldiers of "concealing a red horse, which they found when plundering the king's enemies." He urged that "it was so weak he could not drive it away." Aymer de Rutherford recovers two horses seized by the Marshal at Roxburgh. Robert of Ercildoune (of the Rymer's line?) and John the Hermit are acquitted on a charge of highway robbery (we think of the Clerk of Copmanhurst); probably John was one of the vagrom scoundrels whom Edward had invited to join him. William of Lonsdale, accused of breaking prison, says that he walked out by the open door. (Hanged.) Thomas, chaplain in Edinburgh, excommunicated the king, as Mr Cargill did Charles II. much later. Patrick (of Ireland), accused of stealing 3 dozen hoods, says they were given to him. (Hanged.) Thomas Dun, accused of stealing books at Elgin, says he found them under ground. (Hanged.) The jury did not believe Thomas. Scotland, at all events, had trial by jury now.

Matthew of York and "William le Waleys, a thief," are charged with forcefully stealing beer from a woman who kept a tavern at Perth. William le Waleys escaped; Matthew pleaded his clergy. Such were the proceedings of Edward's army, partly composed of malefactors and broken men. The documents show that crime, even in such a host, was strictly punished.

On his return from Elgin (farther north Edward saw no reason for going), he tarried some time at Berwick, receiving submissions. An interesting monument of this age is the "Ragman Roll,"[56] containing some 2000 names of landholders who vowed fealty to Edward. The names of the Bruces occur, but not the name of William Wallace, who, to be sure, was no landowner, and may have been an outlaw. Except in Galloway, not many Celtic names occur. Earls, barons, and bishops received back their lands, on condition of attending the English Parliament at St Edmunds, on November 1.[57] In October 1296 Edward went southward, leaving Cressingham as Treasurer, Warenne, Earl of Surrey, as Guardian, and Ormsby as Justiciary. The castles were held by English subjects. Risings must have begun at once, for, on January 31, 1297, Warenne is ordered to forbid any man to leave Scotland, and to arrest all who carry letters. The documents, up to July, show signs of agitation, but the exact nature and occasion of the rising are

unknown. On June 4, Edward, who was going abroad, raised the levies of Lancaster, Westmoreland, Northumberland, and Cumberland, to put down "conventicles" in Scotland (*conventicula*). Clifford and Percy are to lead. A sum of £2000 is sent to Cressingham.

These traces of agitation in the public documents are connected with the rising of 1297, in which Sir William Wallace was to win an immortal name. But the facts are obscure. The minstrel, Blind Harry, who wrote about 1460, derived his materials from tradition. But he cannot be absolutely dismissed as a mere romancer, in the manner adopted by Lord Hailes. Blind Harry refers to "the latyne buk" written by John Blair, Wallace's chaplain.[58] In one passage Harry avers that Thomas Gray, "then preyst to Wallace," recounted, in this Latin book, some daring deeds of Blair himself, which that clerical hero was too modest to chronicle. In this passage (Book x. 895) Harry seems to translate Gray, and it appears that he really may have had contemporary evidence before him. Later discoveries have corroborated, by documents, some of Harry's assertions. On the other hand, *les enfances Guillaume*, the boyish homicides of Wallace, the ghost which appeared to him, the love of the English queen for him, and many other matters, are mythical. It is a curious circumstance that whereas "William Waleys, thief," and his clerical accomplice are accused of stealing beer at Perth (June-August 1296), Blind Harry represents Wallace as lurking about Perth "intill a priest-like goun," disguised in a priest-like frock. The month dates do not tally: Blind Harry is vague about dates. But the name "Waleys" is not peculiar to Scotland; the Wallaces themselves had come north with the FitzAlans (the Stewarts). We know an Adam Waleys in Somerset in the reign of Edward I., and the thief of beer may have been one of Edward's band of English outlaws, as he was in company with Matthew of York. It is most improbable that the heroic Wallace bilked a tavern-keeper with an Englishman for his accomplice.

It is, however, highly probable that, as early as 1296, Wallace was at odds with the members of English garrisons in Scotland. They are not likely to have been conciliatory, and the younger son of Sir Malcolm Wallace of Elderslie in Renfrewshire was not a man to endure insult. Blind Harry tells us that, at Lanark, Wallace's wife was killed in a brutal manner by Englishmen,

and that he slew the sheriff for England, Hazelrig.[59] Sir Thomas Gray, in his 'Scalacronica,' says that Wallace was chosen "by the *comune* of Scotland" to make war on the English in May 1297, and that he began by slaying Hesilrig, sheriff of Clydesdale, at Lanark.[60] As Gray's own father was wounded there, and lay all night between two burning houses, his son may be trusted for the circumstances. The Lanercost Chronicler makes Wishart, Bishop of Glasgow, and the Steward, the first movers, who called in William Wallace, hitherto the leading thief, or brigand (*latro*), of the country. He places the beginning of the rising in September, but here he merely refers to the events preceding the battle of Stirling Bridge.[61] In May, Wallace chased Ormsby out of Scone. In June, Edward was taking the oaths of Comyn, Earl of Buchan, of Simon Frazer, the Earl of Mar, and other Scots nobles, to serve under him on the Continent. By June 24, Percy and Clifford were moving against "the Scottish enemies of the king," doubtless meaning Wallace, and other burners of Lanark in May. The Celts were also in a disturbed state.[62]

The Highlands offered only a side-scene of Scottish disorder. On July 7, 1297, Percy and Clifford had penetrated to Irvine, in Ayrshire, had found the Scots as divided in council as later at Bothwell Brig, and had made terms with Wishart, Bishop of Glasgow, Robert Bruce, Earl of Carrick (the king to be), and the Steward,—also with Sir William Douglas, who had been Governor of Berwick when it was sacked by Edward. Young Bruce, in the beginning of the rising, had sworn fealty to England at Carlisle, and had devastated the lands of Sir William Douglas, who was out. Bruce then joined the rising![63] In a mutilated document we read that these leaders are admitted to the king's peace. They represented that they had been told how Edward was going to press all the middle classes of Scotland into his foreign service, that they therefore banded together and came to meet and treat with Percy, and that they ask for stable assurance of peace. Cressingham next, from Berwick (July 23), informs Edward that Percy and Clifford have just announced the peace to which they had admitted the leaders at Irvine. But William Wallace, with a great company, is holding out in the Forest of Selkirk.[64] Cressingham intends not to move till Warenne arrives. Sir William Douglas, not having kept his troth to Percy, now lies a prisoner in Berwick,

mout sauvage, et mout araillez, "very wild and angry." Sir William, in fact, was a prisoner for life; but no man was ever better avenged than he, by his son, the good Lord James. Cressingham has also to announce that no money can be extracted from the Scots, while, except Berwick and Roxburgh shires, the whole country is up. Even on the Spey, the Bishop of Aberdeen, from Inverness, announces that Comyn, Earl of Buchan, cannot follow Edward to France, as he had promised, because Andrew Murray is out with a very large company of scoundrels (*felons*), firmly posted in woods and marshes. (July 24, 1297.) Macduff, too, in Warenne's opinion, had turned "traitor."

In fact, despite the capture of Douglas, and the apparent repentance of Bruce, the Bishop of Glasgow, and the Steward, things looked menacing in Scotland. Clifford and FitzAlan had orders to back Warenne (September 24), Edward sending directions to that effect from Ghent.[65]

From the documents and the 'Scalacronica' we may decide that Wallace lighted the torch in May, at Lanark; that Bruce, Douglas, the Steward, and the Bishop joined the Rising, but quailed before Clifford and Percy at Irvine (July 7); that Wallace, whether he was at Irvine or not, held out in Ettrick Forest; that the North was up under Andrew Murray; and that Comyn of Buchan, Macduff, and others were far from being certainly loyal to Edward. Warenne must now (August-September 1297) have lost time in attempting to secure the slippery Scots, who deferred sending in hostages, and demanded the restoration of "their laws and old customs, while that thief Wallace stirred up the people."[66] Warenne hereon lost patience, and Wallace, on his part, seized all the property of the Bishop of Glasgow, for his timidity and unpatriotic repentance at Irvine. Warenne now marched north from Berwick in earnest, for Wallace was north of Tay, besieging Dundee apparently, and Andrew Murray's *felons* were busy. Hearing of Warenne's advance, Wallace instantly occupied the ground on and about the Abbey Craig of Stirling. Holding this key to the Highlands, his retreat was secure, and he commanded the bridge over Forth, whereof we guess (by the evidence of a design on a contemporary seal) that it was of stone. Efforts at conciliation, by Sir James the Steward, and other Scots with the English, were futile. The date was September 10, 1297; the fight occurred next day. Heming-

burgh gives a curious account of the events. Though the Scottish *noblesse* were bound to Edward, their hearts, and their retainers, were with Wallace.[67] When Warenne, Cressingham, and the English army arrived at Stirling, and had halted on the south side of the Forth, the Steward and Lennox rode in, asking that overtures for peace might be made, and promising to appear next day with sixty men-at-arms. In the dusk, however, Lennox wounded an English forager, in an altercation, and the enraged English begged to be led across the Forth at once. Next morning 5000 English and Welsh foot crossed Stirling bridge; but, instead of holding the bridge-head, they marched back again! The reason was that Warenne, an old man, had not wakened, and lay long abed. Again the infantry crossed, again returned, when the Steward and Lennox arrived, almost unaccompanied. Their men, they said, would not follow them. Meanwhile two friars were sent "to that brigand Wallace," to treat for peace. "Go back," he replied, "and tell your masters that we came not here to ask for peace as a boon, but to fight for our freedom. Let them come up when they will, and they shall find us ready to beard them." Wallace had some hundred and twenty horse, and 40,000 foot. The English again clamoured to be led across the bridge; but Richard de Lundy, a Scot who had deserted the distracted gathering at Irvine, and was now in the English camp, pointed out that over the bridge only two men could ride abreast, and that Wallace would take them in flank. He was ready to show a ford, where sixty men could ride abreast, and make a diversion in the Scottish rear. Meanwhile Warenne would be crossing by the bridge.

Cressingham, "fat and foolish," cried out that they must not waste time and treasure, but attack at once. Warenne yielded, Lundy's advice was neglected, and the long thin procession marched to death, Marmaduke Twenge among the foremost. The spearmen of Wallace now rushed from their hillside, and seized the bridge-head: Marmaduke was charging into the mass, when he saw that the Leopards on the English banners were already turned to flight on the crowded bridge, where advancing horsemen were being driven back, pell-mell, by the spears of Scotland. A comrade bade him swim the river, as a last hope, for Scots and English were mixed and crowded in an inextricable mellay. "Never shall it be said that I drowned myself to pleasure any man," cried Marmaduke, and clove a wide way through the spears. His nephew

was wounded and fell; his squire, mounting the youth on his own horse, followed on foot, and they fought their way back through the trampling multitude. A great number of the English were slain, among them the detested Cressingham, whom the Scots flayed, dividing the morsels of his skin as evil relics.[68] The men of the Steward and Lennox now fell on the English, and Warenne, who had never crossed the bridge, intrusted the castle to Marmaduke, with promise of relief which he did not keep, and so fled to Berwick, like Sir John Cope. Warenne was old, but he did not spare his spurs, and foundered his horse.

This flight, inexplicable and disgraceful, occurred on September 11, 1297.[69] The Scots presently harried Northumberland, and "sacred service ceased in all monasteries and churches from Carlisle to Newcastle."[70] The light-armed levies of Wallace, however, were of no avail against the walls and ingenious artillery of Newcastle and Carlisle. The snowy weather which St Cuthbert miraculously provided in December was severely felt by the Scots. Whether they were guilty of *noyades*, tying monks and nuns back to back and tilting them off bridges into rivers, it is not easy to ascertain.

The story as given by Hemingburgh is very circumstantial, and relates to horrors committed by Wallace, in Scotland, at the beginning of his adventure. "It was their pastime to bind Englishmen in religion and women, hand and foot, and make them jump or throw them off bridges into the water, rejoicing at their death and ducking. Among whom were brought two canons of St Andrews, before that brigand, William Wallace, on the bridge at Perth. They looked for nothing but death, when God saved them, messengers arriving hastily from some of the Scottish nobles." The brigand, therefore, postponed his amusement, but gave orders that the canons should be strictly confined. They were ransomed, however, by friends, on condition that they should swear to leave the country, and never return. "One of them stayed with us, at Gisborough, for some time, and himself told the story of his peril."[71]

This anecdote suggests that English holders of Scottish preferments were detested in Scotland, and subjected to cruelties which Wallace rather enjoyed. The story agrees with Blind Harry's account of the ferocity of Wallace.

Hemingburgh has another tale of three canons of Hexham, to whom the Scots cried, "Show us your treasury or die." One of

the canons replied that the men who had lately plundered the goods ought best to know where they now were. Wallace then entered, upbraided his men, and asked one of the canons to say Mass. In Wallace's absence (he had gone to lay aside his armour at the elevation of the Host), the other Scots stole the chalice, but the hero apologised, admitting that he could not control his people. To the canons he gave a safe-conduct, in the name of King John.[72]

The Scots had glutted their revenge in England, and secured supplies, but they cannot have improved their discipline. Wallace had been elected to, or had assumed, a position of high rank. He and Andrew Murray had previously styled themselves "leaders of the army of the realm."[73] But, on March 29, 1298, Wallace appears as *custos regni*, and army leader in the name of King John, granting a charter and the constableship of Dundee to the hereditary standard-bearer, Scrymgeour. It must have been at this time that Wallace *nobilitavit*, as a verse in the Lanercost Chronicle says—that is, acquired high rank. Many of the Scottish nobles were with Edward in Flanders, many were in prison or were half-hearted. Wallace was the man of the hour, but he would be jealously regarded especially by Bruce, for Wallace expressly fought for King John, "over the water."

Wallace could not be everywhere, and just before Christmas 1297 Clifford harried Annandale, Bruce's territory. In England, the Prince of Wales held a Parliament (Oct. 16, 1297), where Edward's recalcitrant nobles, Norfolk and Hereford, extorted ratification of Magna Charta and the Forest Charter, with the important statute *de tallagio non concedendo*, practically securing the consent of the taxed to taxation. Edward was politic enough to accept the terms of the nobles. Great preparations for invading Scotland were made, but the attack was deferred—the English relieving Roxburgh and taking Berwick.[74] Edward now submitted his differences with France to the arbitration of the Pope. He returned to England (March 14, 1298), and he summoned the forces of the realm, and the Scottish nobles, to meet him at York, at Pentecost. The Scots, however, did not come, and Edward proclaimed a rendezvous at Roxburgh for June 23. Many of his Scots in Flanders had deserted him: Edward remonstrated with the French king against giving them aid, and against giving King John his royal title. He paraded before Philip his proofs of allegiance from the Scots, which included the homage of several

MacEths, and Macgillivrays, and all "Clenafren," a Galloway clan which repented of its late doings under the flag of Balliol.[75] A truce was arranged with France (June 20, 1298), and we find Robert Bruce, the future king, busy in Edward's service in Galloway.[76] Edward now entered Scotland, with a huge force, including men-at-arms from Gascony. But his constitutional troubles were not over. The English Earl Marischal and Hereford declined to move till Edward, *in person*, ratified Magna Charta and the Forest Charters. Edward had confirmed these *when abroad*, and his nobles knew his peculiar genius for pettifogging. The king made the Bishop of Durham swear that he would do what was wanted, after his return, if he returned victorious. This was not satisfactory, and Edward later tried to wriggle out of his promises. He was a man of loopholes and escapes from his word, but this fact never shook his belief in his own loyalty.[77]

Edward now rolled his vast forces over the Lowlands, burning and destroying. At Kirkliston, near Linlithgow, he rested, while the Bishop of Durham took Dirleton Castle. Provisions were scant in the English army: the ships were delayed that should have brought supplies, and the Welsh came to blows with their English comrades. Edward even thought of falling back on Edinburgh, when, as we are told, two Scottish nobles, Patrick (of Dunbar?) and the Earl of Angus, sent in a boy to say that Edward would find his foes "at Falkirk in the forest of Selkirk."[78] These nobles had taken oaths to Edward,—were they now in his camp, or were they with Wallace? Edward set forth to seek his foes, and though bruised by his horse's hoof in bivouac, he mounted bravely, and, on July 22, found Wallace's force arrayed at Falkirk. The Scottish leader had adopted the formation of circles of spears, equivalent to our squares, with archers in the intervals. His cavalry was held in the rear. The battle began by a cavalry charge led by Hereford and the Earl Marshal. A peat-bog in the Scots front caused them to wheel westward; the Bishop of Durham, knowing the position of the marsh, led six-and-thirty standards round by the right. When the two bodies of cavalry approached the Scottish clumps of spears, the Scottish horse fled without stroke of sword—whether in terror, or because the nobles were ill-disposed towards Wallace. A few knights stood; among them was Sir John of Bonhill, brother of the Steward. He was thrown from his horse as he arrayed the archers of Ettrick, and the English cavalry were on him at once. But the Ettrick men,

with their short swords, fought and fell around him, unable to ward off cavalry by spears, with which they were not armed, but incapable of deserting their leader. They were men of great beauty and tall stature.[79] The archers thus perished gloriously, if vainly; but the English knights could not break "the dark impenetrable wood" of spearmen. The English archers, however, in safety, showered their shafts into the "schiltrons," or circles of spearmen.[80] The schiltrons were broken, the Flowers of the Forest had fallen, and could not reply to the English volleys; the English horse rushed through the gaps in the ranks: a very large number of the Scots were slain, and Wallace, who was mounted, barely escaped into the Torwood. Though many horses were slain by the Scottish spears (we even know the value of the steeds), only one Englishman of name fell, the Master of the Temple. Thus Edward gained, on a stricken field, the title of Hammer of the Scots. It was an archer's victory.

This disaster, probably, should not be regarded as a stain on the generalship of Wallace. Little credit can usually be given to the cry *nous sommes trahis*, though in this instance it is an English Chronicler who tells us that the Scots were betrayed by Angus and Dunbar, if that, indeed, is Hemingburgh's meaning. The story of the treason of Patrick, Earl of Dunbar (of Cospatric's house), is not reconcilable with the fact that Patrick, on May 28, was appointed Governor of Berwick for Edward,[81] while Angus was thanked for services against Wallace, in November 1297. Wallace had intended to employ the strategy later recommended "in good King Robert's testament," to retire, wasting the country, and waiting for his opportunity, a night surprise. Edward, receiving the tale of the two peers, turned, and surprised Wallace himself. Probably Wallace should have withdrawn into the deeps of the Torwood, as soon as he saw the advancing banners of the English. But he arrayed his men in the best known formation, that in which the spears of Switzerland and Flanders defeated the chivalry of France or Austria. "I have brought you to the ring, dance as you may," he said, in a phrase variously cited.[82] The flight of Wallace's scanty cavalry may have been due, as we said, to treachery, or to cowardice. The legends about divided counsels, and Comyn's treason, and the Steward's insolence to Wallace, are examples of the myths which Fordun and other late writers invented, or borrowed from popular tradition.

A question arises as to Bruce. For which king did he stand at this moment? Probably, after hesitating, for Edward. On June 4, Bruce's lands in Essex were distrained upon for debts to the English king.[83] On July 3, Bruce, from Turnberry, requests protection for men of his going a journey in Edward's service.[84] But when Edward, after Falkirk, had visited St Andrews and Perth unresisted, an English detachment marched on Ayr where Bruce lay: he then fled, and burned his castle. Manifestly the conscience of that ever-shifting politician condemned him. In spite of Edward's great victory at Falkirk, his success was far from being assured. Wallace, indeed, either retired voluntarily from his position as Guardian (as Fordun, writing long after the event, declares), or was deposed, while the younger Comyn of Badenoch, Soulis, Bruce (later king), and Lamberton, the new Bishop of St Andrews, shared the authority which the hero laid down. Edward had intended to overrun Galloway, after Falkirk; but, for lack of supplies, returned to England through Annandale, taking, by the way, Bruce's castle of Lochmaben. While he was at Carlisle, where he held a council, he was thwarted by the withdrawal of the surly nobles, Hereford and Norfolk. He attempted to conciliate his peers by gifts, *in spe*, of great estates in Scotland, but these were felt to be but airy promises. Rumours of Scottish agitation still kept Edward in the North; but after Christmas he returned to London. Norfolk and Hereford brought up again the question of the confirmation of the Charters: Edward promised a reply "to-morrow," and secretly withdrew from town. The earls followed him with a large force, when the king averred that his health required change of air. Finally, Edward offered to confirm the Charters, while keeping his old loophole, "salvo jure coronæ nostræ," "saving the rights of our crown." But the trick was now familiar; "auditum displicuit," and the angry nobles retired to their homes. A popular insurrection was feared; Edward yielded, and confirmed the Charters.[85] Though no part of Scottish history, these manœuvres illustrate the character of the enemy with whom Scotland had to do. The hands of Edward were full of business. On Friday, July 3, 1299, arrived legates from the Pope, with his award on the dispute between England and France. Edward was to marry the sister of the French king; and the Pope asked for the release of John Balliol into his hands. Edward's marriage was celebrated on September 10, and by November 11 he was holding a Parliament at

York, whence he moved to the border, to raise the siege of Stirling by the Scots. But, at Berwick, the nobles declined to advance, owing to the lateness of the season, and another broil on constitutional points. The Scots had been lying in the Torwood, whence they announced their knowledge of the truce with their French allies, and their readiness, for their part, to observe it. Edward made no reply, and Stirling capitulated, being placed by the Scots under the brave Sir William Oliphant, who held it after the Scottish nobles later came into the king's peace.

Edward's matrimonial affairs, in the autumn of 1299, had, in part, caused him to miss an opportunity presented by Scottish dissensions. Several months before Stirling fell, Hastings, from Roxburgh, had sent Edward almost the first information which we owe to the enterprise of a spy (August 20, 1299). We get a glimpse of light on the obscure movements of Wallace, and we see the germ of a feud between Bruce and Comyn. According to the spy, the new Bishop of St Andrews (Lamberton), Bruce, the Red Comyn, son of the Lord of Badenoch the competitor, Menteith, and Buchan have met in Selkirk Forest. There Sir David Graham demanded Wallace's goods, "as he was going abroad without leave." Wallace's brother, Sir Malcolm, gave Graham the lie; Comyn took Bruce by the throat; Buchan seized the Bishop of St Andrews; dirks were out —it was the deadlock scene in "The Critic," but they came to an agreement. The Bishop, Bruce, and Comyn were to be Guardians of the realm, Lamberton keeping the castles. Then they scattered. This confirms, so far, Blind Harry's tale of Wallace's journey to France, which has other confirmation in papers found upon the hero when finally taken.[86] But, as we saw, Edward missed this chance in the autumn of 1299, and his expedition of the winter of that year was frustrated by the nobles, to whom he was reconciled, by concessions, in the spring of 1300.

Scotland now seemed stronger than before Falkirk fight. Stirling was theirs, the key of the Highlands; and from Carlaverock they threatened Carlisle and raided Cumberland, while Edward was struggling against a constitutional opposition. But, in June 1300, he mustered an army at Carlisle. The bearings of the chivalrous host are blazoned in the 'Roll of Carlaverock,' which gleams with azure and argent, sable, gules, and or, and rings with sonorous Norman names. To-day, in the green and grey of a pastoral low-lying land, the ivy-clad towers of Carlaverock, mirrored in the moat,

and the chambers of later date, marked with the delicate touch of the French Renaissance, form a picture of solitude and melancholy peace. But, in July 1300, Edward led against Maxwell a great and glittering array, while above the splendid armour of the age floated pennons and banners embroidered by ladies' hands. To resist all this chivalry and all the engines, the Cat, and the rest, that had been fashioned at Carlisle, the Scottish commander, Sir John Maxwell, had but sixty men. The English battering-rams and catapults broke down the walls, and a flag of truce was displayed. Stories differ as to Edward's treatment of the garrison, but assuredly prisoners were spared, including the Marischal, Keith.[87]

Soon after arrived from the Pope to Edward a letter, in which he defended the cause of Scottish independence, manifestly by arguments provided by Scots in Rome. Now the Pope sent this letter to the Archbishop of Canterbury for delivery to Edward. For many excellent reasons the Archbishop could not deliver the letter till Edward, after taking Carlaverock, had marched to Irvine and returned again. Towards the end of August the weary prelate, after perils of Scots and perils of Solway sands, at length handed in the unwelcome papal letter.[88] The Pontiff reminded Edward that Scotland from ancient times belonged to the Church. "The meaning was that Scotland was a free sovereignty, with no subjection save such as all sovereigns owed to the Church of Rome. . . ."[89] As for Edward's claims, his own father had acknowledged military aid from Alexander III. as only granted "by special grace." Alexander III., again, had publicly proclaimed that he owed fealty to Edward, *not* for Scotland, but for lands held in England (as is stated in the Register of Dunfermline). Once more, Edward must remember that he did not assume the wardship of the Maid of Norway, which was his right and duty if Scotland had really been his fief. Edward is then reminded of that awkward fact, the Treaty of Birgham. The later acknowledgments of Edward's claims by the Scottish nobles were extorted by fear, *qui cadere potuit in constantem*—namely, by the presence of Edward's army. An allusion is then made to Scottish ecclesiastical independence and to Scotland's possession of the arm of St Andrew, which Edward himself once adorned with a golden bracelet. If Edward thinks he has a case, let him send his documents in proof to the Pope. The papal court had obviously been instructed by Scottish diplomatists. The archbishop who carried the letter is said to have

dropped some words about Jerusalem and Mount Sion. "I will not be silent either for Mount Sion or Jerusalem," replied Edward (Walsingham). However, he proposed to consult Parliament, and meanwhile, partly to please the King of France, granted a truce from October 30 to Whitsuntide 1301.[90]

The Pope's letter was really of value to him. The perpetual jealousy of the English peers was diverted from the royal head to their other old enemy, "papal aggression." Edward prepared once more that interesting collection of myths on which he rested his claims. From Lincoln, in the February of 1301, the barons of England sent a reply to the Pope's letter in such fiery terms of resistance to papal jurisdiction as may be readily conceived.[91] Edward's own pleadings need not detain us. They are as fabulous and disingenuous as usual, though in putting in a miracle wrought by Æthelstane, Edward may have meant a humorous set-off against the Pope's remarks about the Scots relics of St Andrew. A sense of humour, however, was not a marked quality of the greatest of the Plantagenets, and he may have firmly believed that Athelstane with his sword cleft a flinty rock near Dunbar. Edward must have known the facts about William the Lion's "homage to Richard" after the renunciation of the Treaty of Falaise,[92] and he must have known that the Pope knew. Thus it is rather chivalrous than accurate in Sir Herbert Maxwell to write that Edward, "entertaining no doubts" as to the validity of his claim, "played a noble part in its defence."[93] Edward added to the list of Scottish atrocities their burning schoolboys in school.

The Scottish campaign of 1301 was marked by nothing of special interest, and a truce was arranged from January 26, 1302, to St Andrew's Day in that year. In 1302, Bruce went over apparently to Edward[94]—attended his Parliament at least—and the Pope, changing sides, severely rebuked the Bishop of Glasgow, as the chief cause of the troubles in Scotland.[95] Edward had lately released Wishart, the bishop, on receiving his oath of fealty. But while Edward never kept faith if he could help it, the Scottish bishops never failed to break their oaths. Wishart, the patriotic Bishop of Glasgow, with Lamberton, the Bishop of St Andrews, was the most accomplished perjurer of his age. In 1300 he "did the oath" with the Consecrated Host, the Gospels, the Cross of St Neot, and the fragment of the Vera Crux in the Black Rood of St Margaret. Edward, as we have said, relied a good deal on this

relic. But of all men a bishop knew his way best among oaths. Probably there was some oath that he *did* respect, but Edward, after a long series of experiments, never found out what it was. Swearing was then, as it were, a matter of magic. A man chose the one saint, or relic, or formula that would bind him — and kept it a profound secret. Other oaths he took with a light heart. Edward himself, a remarkably upright man, disliked breaking an oath—without a papal dispensation. The Pope had thus a hold over the greatest of the Plantagenets, but, in 1303, the Bishop of Glasgow was a rebel again.

In the summer, probably, of 1302, Sir Simon Frazer, Edward's keeper of Selkirk Forest, fled from Wark with the horses and arms of a friend, and joined the Scots. He met Comyn, and, in February 1303, defeated the English at Roslin, near Edinburgh.[96] It is not certain whether Wallace was present. Perhaps because Comyn was Scottish, Bruce was already all the more English: by December 1302 he had risen to be sheriff of Lanarkshire.

Meanwhile, by the Treaty of Amiens, France deserted the Scottish cause. This was Edward's opportunity. Roslin was revenged, and Edward again overran Scotland, in 1303. There was no organised resistance: Comyn and Sir Simon Frazer were skulking in hills and woods; Bruce had turned English. Edward marched into Moray, almost unresisted, and rested at Kildrummie, in Aberdeenshire. He wintered at Dunfermline.

As an interlude in the record of defeats and treasons, it is curious to study the mode in which the Prince of Wales campaigned this year. He took a lion about with him in a cart: its food cost fourpence daily! His clothing and armour were exquisite, and his medicine-chest was admirably furnished, while falcons supplied him with sport, when he was not netting partridges. His penoncells were of beaten gold, silk was his humblest wear; he lost a good deal of money at dice. His need for a setter in May is not obvious, but he had a setter sent from town; while he paid £2, 18s. for the binding of a French 'Life of the Blessed Edward.' He played a practical joke on his fool by ducking him, but consoled him with a gift of four shillings. Such was princely campaigning in a country where the Unblessed Edward was to see another face of war.[97]

In the early spring of 1304 Edward again took the field. Comyn had gathered a force to guard the passage of Forth, and, if possible, preserve Stirling, which still held out for Scotland. He broke down

the bridge, but Edward found a ford; the Scots withdrew, and, on February 9, Comyn, and whosoever represented the Government of Scotland, surrendered on terms, at Strathord[98] (February 9, 1304). The Bishop of Glasgow, John Comyn, Simon Frazer, and the Steward, were sentenced to be exiled for various periods; but their exile was to be shortened, as we show later, if they would capture Wallace. For the rest, Scotland now lay at Edward's feet.

In this campaign of 1304, Edward's main object was to take Stirling Castle, which held out after the coming of the nobles into Edward's peace. As we have seen, it was commanded by Sir William Oliphant. The siege can be traced in the documents, whence we draw the colours for a picture of war. On April 12, 1304, Edward was at Kinghorn. He wrote to the Prince of Wales, bidding him strip the lead from the roofs of churches, "provided always that the churches be not uncovered over the altars." This was characteristic of Edward: it was also characteristic in him to pay honestly for the lead from the refectory of St Andrews. The material was needed for the siege of Stirling Castle.[99] Four days later, Edward was at Inverkeithing and wrote to Bruce, who was managing his siege-train, and was involved in technical difficulties about waggons. At Stirling, Bissett cut out the boats of Sir William Oliphant's garrison, and Edward made over to Gilbert Malherbe all the property of that good knight. Carpenters were sent for to England, stores were impounded at Glasgow, and so resolute did Edward now appear that the Bishop of St Andrews, Lamberton, came in and swore fealty. Of course he presently broke his oath, indeed he at once set about conspiring on the spot with Edward's now trusted Robert Bruce. Day by day the Scottish nobles made their peace, day by day fresh munitions of war and reinforcements of engineers and cross-bowmen arrived for Edward. Wallace could bring up no relief for Oliphant: he himself was being hunted by Edward's Scottish nobles. With Wallace no terms were to be made: he must surrender unconditionally. Such heavy and ingenious artillery, such storms of Greek fire, had never been seen in Scotland, as Edward brought to bear on Stirling Castle. At last the battered fort became untenable: Oliphant, after resisting all England and all recreant Scotland for nearly four months, hauled down his flag, but even still Edward plied the walls with a new engine, "the Warwolf."[100] On July 24 Oliphant gave up the place, and was admitted to terms. He and his men marched out, stripped to their smocks, and had to

beg pardon on their knees; after a humiliating ceremony they were led off in irons. Among their names are Oliphant, Polwarth, Haliburton, Ramsay, and Napier.[101]

Though he indulged in this revenge, Edward, on the whole, showed a sagacious clemency. He slew not, though he imprisoned, and he desired to send some knights (as Sir Simon Frazer) abroad, in token of his displeasure. The Bishop of Glasgow (who had, of course, broken his fourfold oath) had a similar sentence. Very different were to be the tender mercies of the House of Hanover.

Of Wallace, since Falkirk, we have heard little. In August 1299 he was intending to leave Scotland, as we learned from the report of Hastings' spy. He is said by Blind Harry to have gone to France, and a safe-conduct from Philip of France shows that he meant to proceed to Rome.[102] He had returned to Scotland, and with Wallace alone did Edward decline to make terms: if Wallace surrendered, it must, as we said, be unconditionally.[103] Wallace was lurking about the Forth, when Bruce was doing Edward's business with zeal. By a most disgraceful condition, blackening his clemency, and branding the honour of every man who accepted it, Edward decreed that "Messire Jehan Comyn, Messire Alexander de Lyndseye, Messire David de Graham, and Messire Simon Fraser, who are to go into banishment, and all other folk of Scotland in the king's peace, shall bestow their toil between now and the twentieth day after Christmas to take Messire Williame le Waleys, and give him up to our king, that the king may see how each man will bear himself herein, and may show better favour to the man who takes him, in the matter of shortening his exile, or lowering his ransom."[104] When that hound, James Mòr, tried to win favour by taking his old fellow-Jacobite, Allan Breck (1753), he merely lowered himself to the posture proposed by Edward for Comyn, Lindsay, Graham, and Simon Frazer, knights of the age of chivalry.

Wallace was taken, near Glasgow, and tradition has affixed on Sir John Menteith the stain of treachery. He, or one of his accomplices, is said to have turned the loaf over, as a sign to the English that the hour had come to seize the unsuspecting hero. In later days to "whummle the bannock," when a Menteith sat in the company, was a deadly insult. The facts about the alleged traitor are, that he was the second son of Walter Stewart, fifth Earl of Menteith. He was a party to the Bruce "band" at Turnberry Castle, in Sep-

tember 1286. In 1296 he was taken by the English at the rout of Dunbar, and, in August 1297, was released from an English prison, following Edward to his foreign wars. On October 1301 he is denounced by Ian Macsufne, one of the Celts in English service, as hostile to Edward. In September 1303 he appears as negotiating on the Scottish side. By March 20, 1304, Menteith must have made his peace with Edward, for he was granted the castle, town, and sheriffdom of Dumbarton. As an officer of Edward's, it was now, in a sense, Menteith's duty to secure Wallace, if he could. But, supposing that a very strong sense of duty urged him on, he need not have taken blood-money, a reward of £100 in land. This reward is noted in the same memorandum as "forty marks to the varlet who spied out William Waleys."[105] The Lanercost chronicler, who is contemporary, says, "Wallace was taken by a Scot, Sir John Menteith."[106] Later, rewards of many kinds were showered on Menteith, who was active in the pursuit of Robert Bruce, after the battle of Methven. Still later, Menteith rejoined the patriotic party. The reader has here the materials for an opinion as to how far tradition is right when it execrates this politician.[107] No authentic information proves that Menteith was either a close friend or a deadly private foe (as Fordun alleges) of the national hero. But his conduct seems lacking in delicacy. The story is much clouded by legend, like the details of Wallace's trial, if trial he had. He was accused of being "*fidelitatis immemor*," forgetful of his fealty, which he had never sworn; while men who had broken oath again and again were pardoned, or even admitted to favour. His letters as *Custos Regni*, his slaying of Hazelrig, his proposal of accepting the French king as monarch, his invasion of Northumberland, his burning of churches and murders of the religious, his refusal to submit to the king's peace, were all charged against him. Not having submitted to the king's peace, and being an outlaw, Wallace has no defence. He is therefore to be hanged, disembowelled, beheaded, his head is to be set on London Bridge, his limbs are to be exposed at Newcastle, Berwick, Stirling, and Perth (August 23, 1305).[108]

So died the great popular hero of Scotland. It is conceivable that if he had surrendered even at the eleventh hour, Edward might have spared Wallace. The bitterness of his offence was probably his refusal to do fealty, to come into the king's peace, to waver for an hour in his loyalty to Scotland and her king over the water. Again, the horrors attributed to the Galwegians, in the harrying of

the North, and the alleged murders of the religious, were the last offences that Edward could overlook. Wallace died as Archibald Cameron was to die, in 1753, untried, by the same brutal method, and for the same crime. Like the limbs of Montrose, the limbs of Wallace were scattered "to every airt." The birds had scarcely pyked the bones bare before Scotland was again in arms, which she did not lay down till the task of Wallace was accomplished. We know little of the man, the strenuous indomitable hero. He arises at his hour like Jeanne d'Arc; like her, he wins a great victory; like her, he receives a sword from a saint; like hers, his limbs were scattered by the English; like her, he awakens a people; he falls into obscurity, he is betrayed, and slain. The rest is mainly legend. He seems ruthless and strong, like some sudden avenging Judge of Israel; not gentle and winning like the Maid, but he shares her immortality.

For the scattered members, long ago irrecoverable, of the hero no stately grave has been built, as for the relics of the great Marquis of Montrose. But the whole of a country's soil, as Pericles said, is her brave men's common sepulchre. Wallace has left his name on crag and camp—

"Like a wild flower,
All over his dear country." [109]

NOTES TO CHAPTER VII.

[1] Stevenson, Hist. Doc., i. 4.

[2] There is a blank for one name—Joannes . . . —in a letter of the Guardians, May 13, 1288 (Stevenson, Hist. Doc., i. 49).

[3] Bain, ii. 186.

[4] The Lanercost chronicler, who detests women, avers that Yolete played the warming-pan trick, feigning to produce an heir, really the babe of a play-actor. The Earl of Buchan detected the ruse (Lan. Chron., p. 118).

[5] Stevenson, Hist. Doc., i. 22.

[6] Palgrave, Doc. Illus. Hist. of Scot., p. lxxx.

[7] There are other proofs. See Sir Herbert Maxwell's Bruce, p. 41.

[8] He had already, in May 1287, obtained a dispensation worded generally (Stevenson, i. 35).

[9] November 6, 1289. Fœdera, R. C. ed., vol. i. pt. ii. p. 719.

[10] Fœdera, R. C. ed., vol. i. pt. ii. p. 730.

[11] Fœdera, vol. i. pt. ii. p. 735.

[12] Innes, Lectures, pp. 76, 212.

[13] Fœdera, vol. i. pt. ii. p. 737.

[14] It is hard to understand the long residence of the queen in Orkney, and why did the Scots, for six weeks at least, delay meeting her there? Bain, ii. 107; Fœdera, i. 741.

[15] Fœdera, vol. i. pt. ii. p. 741. 1290.

[16] For this romance see Proceedings of Scottish Society of Antiquaries, x. 403-416. The burned woman was revered as a saint.

[17] Fœdera, R. C., i. 741, 743, 747.

[18] Bain, ii. 109, 110; Palgrave, pp. viii-l, 14-21.

[19] Compare Palgrave, *loc. cit.*, with Robertson, ii. 502-505.

[20] Palgrave, p. cxvi. [21] Fœdera, i. 752.

[22] Stevenson, i. 227, 228; date, May 4.

[23] Fœdera, i. 762 *et seq.*; "The Great Roll of Scotland."

[24] Hemingburgh, ii. 34. Hemingburgh (or Hemingford) was a contemporary, and a canon of Gisborough in Yorkshire.

[25] Dr Gardiner says that this entry in the English Chronicle was made fifty years after date, and "only covers some act of alliance." Student's History of England, p. 63.

[26] Freeman, 1st edition, i. 142, note.

[27] Dr Gardiner says, "This was only a repetition of the acknowledgment . . . to Eadward (924) and Cnut." But he had admitted that it is uncertain whether superiority *was* acknowledged, in 924—*op. cit.*, pp. 63-104.

[28] Robertson, ii. 401, 402. There is an excellent treatise on the whole theme, 'Feudal Relations of the Kings of England and Scotland,' by Mr C. T. Wyckoff (Chicago University Press, 1897).

[29] The date 1237 is printed 1287 in Robertson, ii. 406.

[30] Burton, ii. 208 (ed. 1867); ii. 120, 121 (ed. 1873); Fœdera, i. 763.

[31] Fœdera, R. C. ed., vol. i. pt. ii. p. 766 (June 3).

[32] Fœdera, i. 767.

[33] See Stevenson, i. 318.

[34] See Burton, ii. 130, 131, 1873, note, where the pleadings and the statement of Sir Francis Palgrave are summarised. See also Robertson, ii. 33. Earl David's daughters were never the heiresses of the Crown during the life of Alexander II. "The claim of Bruce is only another instance of the effrontery with which the most groundless pretensions were put forward."

[35] This appears to be the result of genealogies in 'Family Records of Bruces and Comyns,' by M. E. Cumming Bruce. Cf. Bain, ii. xx.

[36] Alexander had issue, however, later.

[37] Palgrave, pp. xviii, 14. Precisely the same statement about the assent of the *probi homines* is made for Bruce in 'Fœdera,' vol. i. pt. ii. p. 777. The memorial of the seven earls, discovered by Palgrave, adds nothing to the testimony, as they admit that they don't know what has become of the documentary evidence. They only expand the statement, they do not prove it. The alleged event occurred fifty-four years before 1292.

[38] Bain, ii. 154, 155.

[39] See examples of Edward's personal generosity to Balliol. Bain, ii. 157.

[40] April 1294. Bain, ii. 160.

[41] This plea had been running since February 3, 1289. Stevenson, i. 71. The Gascon merchant had been condemned to death in Scotland for piracy, and was pardoned, and had his bill paid! It is a queer confused affair.

[42] Hemingburgh, ii. 40-46.

[43] July 5, 1295. Hemingburgh, ii. 77-89, Documents.

[44] It is notable that representatives of Scots Burghs seal the documents in the transactions with France.

[45] October 16, 1295. Bain, ii. 166. It is strange that, on the very same day, Edward promised that, when his war with France was over, he would restore to John the three castles, Berwick, Roxburgh, and Jedburgh, which he had demanded at his hands. Fœdera, i. 829.

[46] Display of military force at Upsettlington. Bain, ii. 167.

[47] Hemingburgh, ii. 90.

[48] Stevenson, ii. 25.

[49] Hemingburgh, ii. 99.

[50] Fœdera, i. 791.

[51] Hemingburgh, ii. 104 (April 27, 1296); Stevenson, ii. 26.

[52] Stevenson, ii. 38.

[53] The legendary writers have so clouded the history of Bruce, that modern readers still seem surprised by the story of his astonishing versatility and caprice, in these years. But Lord Hailes, in the last century, had no illusions about Bruce, and popular opinion merely proves the tenacity of myth. Dr Stevenson (1870) wrote of the transactions of this period, "Whenever the name of Robert Bruce is mentioned, it is nearly always connected with some measure hostile to his country" (Historical Documents, i. liii).

[54] Hemingburgh, ii. 110.

[55] The loot is recorded—see Bain, ii. 221.

[56] A word of doubtful origin. Fordun, later, calls documents with pendent seals *literæ ragmannicæ*. A kind of game of forfeits bore the same name.

[57] Stevenson, ii. 31.

[58] See Mr Moir's edition, Scottish Text Society, p. xi.

[59] Fordun, "Hislop."

[60] Scalacronica, p. 123.

[61] Chron. Lan., 190. Here the chronicler is backed by Edward's own charges against the Bishop. "He abetted Bruce and Wallace, and worked them up into rising against the king" (Palgrave, p. 343).

[62] See Appendix C, "The Celts in the War of Independence."

[63] Knyghton, i. 373.

[64] There is a work called "Wallace's Trench" at Hangingshaw on Yarrow. For letters on these events cf. Stevenson, ii. 192-235; Bain, ii. 238-241.

[65] Stevenson, ii. 231.

[66] Hemingburgh, ii. 133, 134.

[67] Hemingburgh, ii. 134.

[68] Scalacronica and Chron. de Lan. mention this odd proceeding in different terms.

[69] Hemingburgh, ii. 133-140.

[70] Hemingburgh, ii. 141.

[71] Hemingburgh, ii. 130, 131.

[72] Hemingburgh, ii. 144. The safe-conduct is also given by Andrew Murray. The document seems valid, Hemingburgh having no partial affection for Wallace. But Andrew Murray had fallen at Stirling Bridge, and his father was then a prisoner in the Tower. Bain, ii. 300. So a jury found, later, but there is another undeniable document, *after* Stirling fight, in Murray's name. Probably he really fell at Falkirk. His posthumous son resisted Edward Balliol.

[73] Letter to Mayors of Lubeck and Hamburgh, Oct. 11, 1297. Murray continues to act, though we have an assertion of his death (Wallace Papers, Stevenson, p. 159).

[74] Hemingburgh. Stevenson, ii. 248-256.

[75] Bain, ii. 253. The earliest mention of a *clan* known to the writer. See Appendix C, "The Celts in the War of Independence."

[76] Bain, ii. 255.

[77] Hemingburgh, ii. 174.

[78] Hemingburgh, ii. 177. [79] Hemingburgh, ii. 180.

[80] Dr Gardiner says that Edward learned the use of the long-bow in his Welsh campaign. See Mr Oman, 'History of the Art of War in the Middle Ages,' pp. 400, 560-568. No doubt the South Wales men drew a good bow, but the experiments of Mr C. J. Longman show that Giraldus Cambrensis drew a better, in his vaunts of Welsh archery. See Badminton Book of Archery.

[81] Stevenson, ii. 283; Bain, ii. 262; Stevenson, ii. 241. Mr Tytler accepts the story of treachery, not so Lord Hailes.

[82] Walsingham has amusingly misunderstood it. See Gray in 'Scalacronica.' At this date, Gray leaves the impression that he is condensing Hemingburgh and other chroniclers, rather than giving his father's reminiscences.

[83] Stevenson, ii. 285. [84] Bain, ii. 255.

[85] Hemingburgh, ii. 182, 183.

[86] For the spy, see Bain, ii. 525, and in full in National MSS. of Scotland, ii. 8. A Scottish spy, Robert Skort, possibly a double spy, was hanged (Bain, ii. 293).

[87] Bain, ii. 295.

[88] Hemingburgh, ii. 189-196. The Pope wrote to the Archbishop of Canterbury on June 28, 1299 (Stevenson, ii. 376). His letter to Edward is of the following day (Fœdera, i. 907). In September 1300 Edward appeals to the clergy for documents in support of his claims.

[89] Burton, ii. 209, 1873. [90] Hemingburgh, ii. 188; Fœdera, i. 924.

[91] Fœdera, vol. i. pt. ii. p. 926. [92] Fœdera, vol. i. pt. ii. p. 933.

[93] Robert the Bruce, 109. [94] Bain, ii. 342, 343.

[95] Fœdera, vol. i. pt. ii. p. 942.

[96] Hemingburgh, ii. 222, 223. As to the magnitude of this victory, Scots and English chroniclers differ.

[97] Bain, ii. 360-369.

[98] Bain, ii. 470; Palgrave, cxxxvii.

[99] Stevenson, ii. 481. [100] Bain, ii. 405.

[101] Fœdera, vol. i. pt. ii. pp. 965, 966. [102] Wallace Papers, p. 163.

[103] Wallace Papers, p. 167; Palgrave, pp. 284 and cxlvi.

[104] Palgrave, p. 276. [105] Palgrave, p. 295. [106] Lan. Chron., p. 203.

[107] Fraser, Book of Menteith, i. 433-449.

[108] Wallace Papers, pp. 190-193, August 23, 1305. The MS. is only a copy, but seems to be authentic. It may be observed that, to the last, the facts in Wallace's career are obscure. There is a warrant for his delivery from the Tower dated August 18, 1305. And there is record of fifteen shillings paid for the carriage of his dead body to Scotland, dated by Dr Stevenson as of September 29, 1304. Stevenson, ii. 485; Bain, ii. 454. Doubtless Stevenson erred.

[109] Wordsworth.

CHAPTER VIII.

THE WARS OF BRUCE.

WITH the death of Wallace, and the universal submission of the Scottish magnates, every obstacle to Edward's policy seemed to have disappeared. There was no *prétendant* to the Scottish crown whose claims had a shadow of popularity. Nobody cared for the descendant of Donald Ban as king; Bruce had at last by his eager services given stronger proofs of his loyalty to England than repeated oaths on relics and sacred swords could afford. The English king had only to organise his conquest, and the Union would be accomplished. The end of Edward had been as excellent as his means to that end had been tortuous. Nemesis, not *pede claudo* but with hurrying foot, was approaching; meanwhile, he organised his new realm. Ten Scottish representatives of various ranks were summoned to his Parliament. They were chosen by the bishops, abbots, earls, barons, and "community." Among them were the versatile Bishop of St Andrews, Lamberton, and (elected by Edward in place of the absent Earl of March) the notorious Sir John Menteith. With twenty-two Englishmen they agreed to certain regulations. The old Celtic laws of "Scots and Brets" were to be disused. We have already quoted the sums payable for manslaughters in various ranks from these "Laws." It would be interesting to know whether their existence implies the recognised presence of "Brets" in Scotland. A report on King David's laws, with suggestions for their reform, was to be laid before Edward. Inconvenient persons were to be "courteously" removed to the south of Trent. Oaths of futile solemnity were administered to the commissioners (September 23, 1305).[1] John of Brittany, Edward's nephew, was to be a kind of viceroy, aided by a chancellor, a chamberlain, and a comptroller. Eight justices were ap-

pointed,[2] and the sheriffs, as a rule, were Scots. The castles were in English hands. Edward made public proclamation that Scots travelling to his London Parliament were to be well and courteously treated.[3] He set about repairing the injuries and healing the wounds of war. Grants of oak-trees for timbering the priory of St Andrews, and the wasted cells and churches of Elgin, and of Ettrick Forest, were made, and Stirling Bridge, so often injured, was restored. Commerce was reviving, and the useful captor of Wallace received trading privileges, which Edward gave grudgingly he admits, and would have granted to none other than his valued Menteith.[4] New castles were built, and old castles were strengthened and provisioned. Everything seemed to be working smoothly, and we may wonder how all would have ended had a dagger-stroke not intervened.

The only probable element of disturbance appears to have been the resentment of ousted lords of lands, such as James, son of Sir William Douglas, and of their tenantry. If the new English holders of fortified estates, such as de Clifford, could conciliate the commons, if the troops of occupation would behave courteously, there seemed no ground for popular discontent. The new landlords were scarcely more alien in blood than some of the old had been. The chronic resistance of the clergy had, however, to be reckoned with by Edward, who carried as far as the Prince of Orange the policy of winning men by trusting them. Thus the Bishop of St Andrews, six days after Bruce's murder of Comyn, was actually requested, with others, to keep the realm till John de Bretagne could take office in Lent.[5]

It certainly looked as if Scotland might now have been united to England, with no particular sense of wrong and resentment, had it not been for the ambition of Bruce. For two or three years Bruce had been subservient enough. But an unknown incident had occurred, in June 1305, which was to divide the kingdoms for four hundred years. Robert Bruce, as we saw, had been managing the siege-train with which Edward battered Stirling Castle. His father had just died, and Bruce, after all his faults against Edward, was being admitted to his inheritance. Yet, on June 11, 1304, while Bruce was aiding Edward to take Stirling Castle, while Lamberton had just been pardoned and admitted to Edward's peace, the pair entered into a treasonable "band" together.[6] By that band, each partner was to aid the other, "against all men," under heavy

pecuniary penalties. This meant that Lamberton was still working for the independence of the Scottish Church, and that Bruce was still hankering after the Scottish crown. In 1305, before April 1, Bruce was with Edward at Westminster, and obtained the forfeited lands of de Umfraville in Carrick. In August he may have witnessed the end of Wallace. In September he was bidden to appoint a keeper of the strong castle of Kildrummie, in Aberdeenshire, for whom he shall be responsible. Bruce, therefore, seemed trustworthy to those who neither knew about his band with Lamberton, nor were willing to be warned by his extraordinary series of vacillations.[7] The exact course of events which presently converted Bruce from an adherent of Edward into a sacrilegious homicide with no safety save as a crowned king cannot be ascertained. The version given by Fordun is, of course, late, and prejudiced in Bruce's favour. The version of Hemingburgh may be prejudiced, but it *is* contemporary, and is supported by the contemporary Sir Thomas Gray, whose father, severely wounded at the siege of Stirling, had been concerned in all the affairs of the age.

According to Fordun, Bruce was at Edward's court in December 1305–January 1306. He then made overtures to John, the Red Comyn, son of Comyn the competitor, a man descended from Donald Ban and from David of Huntingdon. Bruce and Comyn, as we saw, had been at daggers drawn in Ettrick Forest years before, when both were Guardians of Scotland. Bruce had deserted that post of honour and danger. Comyn had stood longer by his country. Comyn, on all grounds, was a most dangerous rival to Bruce, if the question of a king for Scotland ever came up again. To Comyn, then (says Fordun), Bruce opened his mind: Barbour, on the other hand, makes Comyn open his mind to Bruce. "Support me, and take my estates; or give me your estates, and I will support you." Comyn accepted the former alternative. A band was made, oaths were exchanged. Comyn revealed the plot to Edward (displayed the band, says Barbour). Edward dropped a word of it over his wine. Barbour makes Bruce deny the band and persuade Edward that his seal had been used without his knowledge. Gloucester, according to Fordun, heard of Edward's word, and sent to Bruce a "symbol letter,"—twelve pence and a pair of spurs. Bruce took the hint, and, having his horse shod backwards, for there was snow on the ground, rode to the North,—this child-like scheme of hiding his track is obviously

a pure fairy-tale. On the Border, Bruce intercepted and slew a messenger from Comyn, bearing a denunciatory letter to Edward. This letter was superfluous, on the hypothesis, Comyn having already betrayed Bruce. That adventurer reached his castle of Lochmaben, met Comyn in the Church of the Minorite Friars at Dumfries, accused him of treachery, received the lie, and dirked his man in a sudden passion. It would seem that Comyn was not in armour.

Hemingburgh's tale is that Bruce, in Scotland, being jealous of Comyn, sent his own brothers, Thomas and Nigel, to bid Comyn treat with him at Dumfries. The king's justices were in session there, and it was natural for both Bruce and Comyn to be present. The rivals met and embraced in the church. Bruce then accused Comyn of betraying him to Edward, Comyn returned a soft answer; but Bruce stabbed him at the altar, *and stole his horse!*[8]

Gray also makes Bruce send Nigel and Thomas from Lochmaben to Dalswinton to bring Comyn to Dumfries, with orders to stab him as they rode. Comyn was so pleasant that they could not harm him: "He gave us such kind greeting, and such fair gifts, and showed so open countenance, that in no manner could we do him injury." "Let *me* meet him!" said Bruce. At their interview Bruce made the offer reported by Fordun. Comyn said that he must keep his oath, and Bruce stabbed him. The friends of Bruce "made sikker," whether "Kirkpatrick's bloody dirk" was employed or not. An uncle of Comyn's struck at Bruce, who was in armour, and took no hurt.[9] The uncle was slain, as Hemingburgh also reports.

An odd piece of English evidence remains to be considered. "Matthew of Westminster" says that Bruce tampered with several Scottish nobles as to their support of his claims in resistance to English tyranny; but, while many consented, Comyn refused. Now there exists a manuscript—the original of it was probably contemporary—which contains an account of Scottish affairs at this juncture in the style of a parody of the Bible. The parody, though in the worst taste, is decidedly clever. It represents Bruce's action as the result of a general stir among the Scottish magnates, who said, "Let us make a king unto ourselves like the other nations, to break the yoke of the English from our necks." Buchan, Ross, and Dunbar refused the crown, but Bruce accepted, saying, "Behold, I send you forth as wolves among lambs." Comyn, as in Matthew of Westminister, resisted, saying, "We have no heritage or peace in Robert,

and no king but Cæsar, king of the English." Two false witnesses reported this to Bruce, who therefore stabbed Comyn in church. Lord Bute holds (though an eminent scholar disagrees) that Matthew of Westminster quotes, in several places, this strange piece of contemporary journalism.[10] We may take it, perhaps, that this version of Bruce's behaviour—his anger because Comyn resisted a plot to crown him—was current in England in 1307, the parody ending before the death of Edward I.

While Fordun's tale is a *Märchen*, Gray's version implies deliberate murderous intention; but it is clear that Bruce had made no preparations for holding out against Edward. Mr Hume Brown[11] seems to think that Bruce's immediate action shows that he "had long maturely considered" his part. Then, was the murder of Comyn premeditated? Again, Edward was not entertaining suspicions of Bruce (as in Fordun's legend), for, two days before the murder (Feb. 8), he was bidding the Treasurer discharge Bruce of Scutage, supposed to be due from his father's estate.[12] Edward would not do this for a denounced traitor, *who, moreover, had acknowledged his guilt by sudden flight.* Nor was Comyn conscious of treachery to Bruce, or he would have declined to meet his victim. Consequently we may suppose that a sudden quarrel broke out between men who, long before, had flown at each other's throats, and that Bruce's act was an unpremeditated but not an unrepented manslaughter. The inveterate waverer was thus baptised into heroism by blood; he redeemed his character by a crime; and a life of strenuous excellence began in a sacrilegious homicide.[13] The Rubicon was now crossed with a vengeance. Bruce, from Lochmaben, summoned his party, and the Bishop of St Andrews sent to him Sir James Douglas, a young knight with a long debt of vengeance for his father Sir William, and for his lost lands. In Glasgow the six-times-perjured bishop, Wishart, received Bruce gladly. Bruce hurried to Scone; it was essential that Scotland should have a crowned king, and without the Stone of Destiny, but with the mystic aid of a lady of Clan Macduff, the Countess of Buchan (who had fled from her husband, of Edward's party[14]), Bruce was crowned.[15] Such were the strange kingly beginnings of the royal race in whose interest the plea of legitimacy has been most eagerly urged.

Weeks before Bruce's coronation, Edward was preparing for a new conquest of that indomitable country on whose soil he was

never again to set his foot. He is said to have heard of Bruce's homicide while on a hunting-party among the Wolds near the Itchen, in Hampshire.[16] Edward now bade farewell to "respective leniency," and acted in the spirit of "fire-eyed fury." Except Wallace, he had not capitally punished any of the Scottish leaders, though most of them had broken oath upon oath. He was now determined to destroy, with the cruelties of the law of treason, all who were in any way accessory to a perfidious and sacrilegious murder. His forces, under Aymer de Valence (Earl of Pembroke), Robert Clifford, and Henry Percy, were over the Border, and were warring with such fortunes as are to be narrated, when Edward solemnised, by a great pageant, his purpose of reducing Scotland. In Westminster, at Pentecost, he gave the accolade to three hundred new knights, among whom he distributed gold, purple, and fine linen. The apple-trees were cut down in the Temple Gardens to make space for the pavilions of the glittering crowd of young knights who were to perish holding the Castle Perilous of Douglas, or when Randolph climbed the Castle crag of Edinburgh, or in Bruce's onfall at Perth, or in the marsh under Loudon Hill, or in the mellay and the rout when

> "The Burn of Breid,
> Did run fu' red."

But all these things "lay on the knees of the gods," while the fated Prince of Wales watched his arms in the church at Westminster; and so great was the clamour of trumpets, and the melody of flutes, that men could not hear the anthems echoing from the choirs. So crowded was the church next day that two knights died, and many fainted,—evil omens, yet the king vowed "to God and the Swans" that, "living or dead," he would enter Scotland and avenge Comyn, adjuring the prince to carry his body, if he died, over the Border,—as the mummy of Joseph was borne into the Holy Land by the returning Israelites. All were to march together after the Feast of St John.[17] Meanwhile Bruce was stripped of lands, honours, and even of Christian dues, for, later, he was solemnly excommunicated by Papal authority, a circumstance which produced no effect whatever on the mind of Scotland. Only his friends remained: his nephew, Thomas Randolph (presently to desert him for a season), the good Lord James of Douglas, Lennox, Atholl (destined to the gibbet), Errol, and the

ancestor of the House of Kilmarnock, with Somerville of Carnwath, and a brother of Simon Frazer. Many of their descendants were, in uttermost calamity, to be as true as they to the blood of Bruce.

We are enabled to follow the hurrying events of 1306 by a double clue. The State Papers of Edward give us one line, the heroic poem of Barbour gives us another. We find Aymer de Valence, Edward's general, at Berwick, in May, while Edward is as eager for him to catch the Bishops of Glasgow and St Andrews as ever was Henry VIII. to trepan Cardinal Beaton. Bruce had been ravaging Galloway, where the Celts were hostile,[18] but, in search of Aymer, he retired beyond Forth. Aymer lay in Perth; Bruce challenged him to come forth. Hemingburgh for England, Barbour for Scotland, both report that Aymer refused to fight that day, but promised to do battle on the next. Bruce's men accepted the proposal, and set about cooking, foraging, and erecting shelters, in the wood at Methven. The weather was midsummer, and the bivouac was welcome. But Aymer sallied forth on the scattered Scots, and, despite the prowess of Bruce, and Seton (who, later, was taken and hanged), he routed the enemy and captured many prisoners. Among others Thomas Randolph was taken, a nephew of Bruce. He saved his life by becoming Edward's man. On June 16, we find Edward rejoicing at good news, especially at the capture of the Bishop of Glasgow. To his invaluable John Menteith he grants the earldom of Lennox. On August 4, we find brief record of hangings of prisoners taken at Methven. 'Laymen, peasants, knights, and clerics were hanged. Simon Frazer's head was impaled beside that of Wallace.[19] The Bishops of Glasgow and St Andrews are discovered in irons, at the castles of Porchester and Winchester.[20] On August 9, he of St Andrews was confronted with his band to Bruce, and his oath of fealty to Edward, made three months earlier than the band. He had the astonishing coolness to declare that, when formally admitted of Edward's council, he did not reveal the guilty secret of the band, because he had forgotten all about the transaction![21] Edward is accused of cruelty for inflicting on his lay prisoners, Atholl his cousin, Nigel Bruce, and others, the extreme horrors of the law against treason. He spared, however, the lives of the perjured churchmen, though not of clerics less exalted: his vindictiveness did not exceed that of the Hanoverian Government in the age of Hume, Johnson, Horace Walpole, and Voltaire. Temple Bar

long displayed the heads of loyal men, as the heads of Wallace and Frazer had decorated London 450 years before. Edward, it is true, had pushed the policy of clemency and trustfulness very far: he had invariably been met by perjury and revolt. His character is not wholly amiable; but we must admit that he had now unprecedented provocation. His opponents were not fighting, as Wallace fought, for king and country: they were fighting, at this moment, "for their own hands."

We left Bruce a fugitive from Methven Wood. He took to the heather with a little company of lords and ladies. His queen had said, at Scone after the coronation, "Alas, we are but king and queen of the May! such as boys crown with flowers and rushes in the summer sports."[22] Of old, the king of the May was slain in a solemn sacrifice; the same doom seemed to hang over Bruce.[23] The true romance of his life began in his mountain wanderings. Barbour's book cannot be regarded as exact history. He repeats such incidents as Bruce's defeat of three armed traitors over and over again. But he had stories from actual survivors, he had popular ballads for his sources, and we may feel certain that if Bruce had not now played the part of the perfect knight, which Barbour assigns to him, he would not have overcome the despairing indifference to his cause. Of his sacrilege the Scots thought little. The clergy were staunch to him, from the highest to the lowest. The archers of Ettrick now served Edward—Aymer was their new lord; Galloway was hostile to Bruce, so was Lorne, —the representative of the House of Somerled, Macdowal, the chief, taking up the blood-feud for his kinsman, Comyn. Some Celtic lords had long been Edward's men. Sir Nigel Campbell, of the kin of the future Lords of Lorne, was loyal to Bruce; but the people were against him, or not for him.

> "All the Commons went him fra,
> That for their lives were full fain
> To pass to the English peace again."

Thus deserted and distressed, Bruce, after a desperate fight with Lorne's retainers, sent away the ladies of his party to his one strength, Kildrummie Castle in Aberdeenshire. By September 13 Kildrummie was taken, through the treachery of a man who cast a hot plough-iron into a heap of corn, says Barbour. Nigel, Bruce's brother, was captured, and died by the doom of traitors, for Edward

had forsworn mercy, and hanged, disembowelled, and quartered his noblest prisoners, and even priests, which greatly harmed his cause. The Queen had vainly sought "gryth" at St Duthac's shrine in Tain; the Earl of Ross handed her over to the English. The Queen's prison was "courteous" enough: she had sufficient attendance, and leave to hunt, and the best house in the manor of Brustwick for her abode. The Countess of Buchan, with Bruce's sister Mary, were much more strictly warded in "kages," within turrets, at Berwick and Roxburgh. But the "kages" are to be so constructed that the Countess "shall easily have *chambre cortoise* therein." As to Marjorie, Bruce's daughter, the order was rescinded. The "kage" of Lady Buchan can scarcely have been as bad as the *huche* in which Jeanne d'Arc was later cruelly confined. The Countess had servants ("not gay"), and *chambre cortoise*, but dwelt in an inner chamber of iron and wooden lattice, within a room of Berwick Castle. The ordinary story of a cage hung on the castle wall seems to be exaggerated.[24]

In Scotland, as we saw, Bruce was hewing his way westward, after Methven fight, and he only escaped by courage and skill of fence from the assault of Argyll's retainers at Tyndrum. He was heading for Kintyre, where he had a friend and ally in Angus Og of Isla, through whom he was to secure the aid of a branch of the House of Somerled, and the men of the Northern Isles.[25] Through this comradeship, the Islesmen, usually the deadly foes of Scotland, were to share in the glory of Bannockburn. The realm between Tyndrum and Kintyre is a land of mighty hills, deep penetrating salt-water lochs, and angry rivers. In this wilderness Bruce kept the hearts of his men high by tales of Hannibal's adventures,—

> "Auld storys of men that were
> Set in tyll hard assayis sair."

He sent on Sir Nial Campbell, to procure shipping, and himself crossed the desert hills, "in showers snell," as far as Loch Lomond. It was a weary and perilous journey to walk round the loch, and horses they had none. But Douglas found a little boat, sunken under water. They baled it, it held but two passengers and an oarsman, and so they crossed the loch by threes at a time, some even swimming. On the farther side, Bruce read to his company the romances of "worthy Ferambrace and doughty Oliver." Bruce set the gallant example which his descendant, Prince Charles, was to follow so closely that parts of 'The Lyon in Mourning' read like a prose rendering of Barbour's 'Bruce.' Charles's crossing of Loch-

shiel, with Glenaladale, in a dug-out canoe, answers to Bruce's crossing of Loch Lomond. When all had crossed the loch, they hunted for venison, "but they got little for to eat." At this moment the Earl of Lennox (not Menteith) heard the cries and blasts of horns on the hills. He had received no news of Bruce since Methven fight, and deemed him slain; but now they met, and Lennox wept for joy, and Bruce

> "For pity wept again
> That never of meeting was so fain."

Sir Nial had secured shipping for Bruce, who sailed to Kintyre, Lennox narrowly escaping from the galleys of the trusty Menteith, who, having been so well rewarded for taking Wallace, was now hard on the track of Bruce.[26] This energetic man was, no doubt, only doing his duty in his sphere of usefulness. But it is not difficult to understand his traditional unpopularity. On September 25, 1306, Edward bade Menteith compel the people of Kintyre to supply the English who were there besieging Dunaverty Castle.[27] This castle had been given to Bruce by his good friend, Angus Og of Isla.[28] The sea was clouded with English ships, and with the galleys of Lorne. Bruce and Douglas fled to Rachrin, or Rathlin, an isle on the Irish coast.[29] From Rachrin, Douglas made a successful foray on Arran, whither Bruce followed him. To three blasts of Bruce's horn, Douglas and Boyd rallied eagerly: here, in a richer isle than Rachrin, they looked across the sea to Bruce's own lands in Carrick, and to his own castle of Turnberry (Feb. 1307). Thither he sent a spy, who was to light a beacon if things looked well. All looked as ill as might be; Turnberry was held by Percy, so the spy lit no fire, yet, at nightfall, a mystic blaze shone over Turnberry, as the flame of Athene burned above the brow of Achilles. This was the fire of Fate: Bruce followed the gleam—how lighted or tended no man knew—and the tide of his fortunes turned from that hour.[30] Bruce landed, and found his spy, Cuthbert, waiting for him in sore distress. He knew not who had lit the beacon, and lured over the king. But there was no returning. Urged by his brother, Edward, Bruce made havoc of the sleeping English in the hamlet below the castle. Nor did Percy sally from the fort, in fear of a night surprise,—indeed Bruce seized his horses and silver plate.[31] But Bruce's other brothers, Thomas and Alexander, landing with an

Irish force, were defeated by Dougal Macdowal, of Galloway, and the Bruces were hanged at Carlisle, whither Edward I. had been slowly carried for an invasion of Scotland. Their heads were placed on spikes on Carlisle wall. Edward lay at Lanercost for the most part, while Bruce skulked in the recesses of Carrick and Galloway. Now Douglas, stealing to his own lands, wrought the massacre of "the Douglas Larder," on Palm Sunday. All through March 1307, Edward, at Lanercost, was levying men to hunt Bruce out of the desolate glens at the head of the waters of Galloway. All were to muster at Carlisle for the hunt.[32] Butetourte led a force in the valley of Nith; nineteen knights were under him. In Ayrshire was Aymer de Valence, Clifford was in the valley of the Cree, Mowbray hunted Glen Trool. John of Argyll had 800 light-footed gillies on the royal trail. "The nets are spread and the stakes are set." Barbour has told how the nets were burst, the hired assassins discomfited, the bloodhounds outwitted or slain, by the king's agility, strength, and courage. When an onfall was made, Bruce's men scattered among the wildernesses where the Covenanters were to find good hiding. It is a region now brown with heather, or green with pasture; a realm of lofty table-lands seamed with "lanes" of black water, or broken by the steepest of hills; but then there were woods for retreat, as well as caves in the cliffs of Loch Dungeon or Loch Trool. Here Bruce held his own, doing *miracula*, as Hemingburgh says, in the way of skill and endurance. Against him the arrows of traitors were pointless, and the instinct of sleuth-hounds was vain. At Lanercost Edward waited, fondly hoping for the great news of "King Hobbe's" capture by every messenger. No such news arrived. A sufficient English force rode up the Cree water to Loch Trool, but were met in a place of vantage. Bruce "took the hill of them," at a point where, having left their horses behind, they were entangled in a wood. A sudden charge headed by Bruce dismayed them, and Aymer de Valence withdrew to England.[33]

There exists a curious letter of May 15, 1307, in which an unnamed writer at Forfar tells some English official that Bruce never before had so much good-will as now from the Scots; that the preachers are of his party; that a prophecy of Merlin in his favour has been discovered; that Scots and Bretons shall henceforth live in amity "after the death of le Roi Covetous"; that the North is reported to be ready to rise, while quiet people will, as usual, take

the stronger side. If Edward dies, all will be lost, and already the English expedition against Bruce is in retreat.[34] This letter must have been written, not immediately after the Glen Trool affair, but after news came of a later victory by Bruce, at Loudon Hill, on May 10, 1307.

He had slipped out of Galloway, through the midst of his enemies, into Ayrshire. Aymer had challenged him to fight in open field, and in knightly fashion. There is an abrupt eminence, Loudon Hill, almost the only one as far as the eye can reach, over a wide expanse of moor. One side is steep rock, the other, on the north, slopes more gently, by a series of declivities, to what is now woodland and cornland, but was then marsh and moor. On a piece of comparatively level ground, half-way down on this side, Bruce is said by tradition to have posted his men, taking advantage of a marsh, and strengthening his flank by trenches. From the marsh, probably, issues a little burn which flows down the slopes, and up the "haughs" beside this rivulet Aymer is said, by tradition, to have led a cavalry charge. The security of Bruce's position enabled him to repel the English, and Aymer's horses galloped back with many an empty saddle, as, nearly four hundred years later, the cavalry of Claverhouse were to do on neighbouring ground. For it was from the crest of Loudon Hill that the watchmen of the Covenant saw Claverhouse approaching their conventicle at Drumclog, among the moors and marshes beneath the steepest side of the eminence,—"a yellow, benty, mossy, boggy place," in a desolate land watched over by the formless far away masses of Cairntable and Wardlaw.

Bruce's victory, in open field, brought him fresh adherents.

On May 15, some one writes from Carlisle that Edward is well, but very wroth that Aymer has retired before "King Hobbe," his humorous name for Robert Bruce. He adds the astonishing statement that James Douglas has sent for permission to come into the king's peace, but has changed his mind after Loudon Hill. If true,[35] this intelligence shows how critical was that victory. The affair of Loudon Hill, with minor successes of Bruce, determined Edward himself to move against King Hobbe. His approach might have driven Bruce to the Isles again, but this was not to be. The great Plantagenet died, at Burgh-on-Sands, with Scotland in full sight (July 7, 1307).[36] The story that he bade men carry his bones at the head of the army is late, and may be legendary.

Aymer de Valence, moving south from Ayr by the Glen Kens,

soon left Scotland—Lorne and his Highlanders guarding Ayr for the English. Edward II. advanced into Ayrshire, and retreated, either because he could not feed his army, or because he preferred a life of pleasure in England, in the fatal society of Piers Gaveston. John of Brittany was again made Governor of Scotland. The death of the great Edward, with his hopes broken and his work undone, and the kingship of his frivolous and distracted son, make the later successes of Bruce something less than miraculous. But we still ask how did he achieve any success? The nation, as a whole, was not yet with him (that his later forfeitures of his enemies proves), —patriotism, properly speaking, was as yet rudimentary. The commons had fallen away after Wallace's death; of the nobles, some were indifferent, many were bitterly hostile, holding Bruce in deadly feud. Rome, since 1304 no ally, was now an embittered foe, because of Bruce's sacrilege, and he lay under excommunication—then, and much later, a terrible position. Who composed Bruce's forces, while he wandered in Galloway? A few knights, probably, with some hundreds of broken men, from Kyle, Annandale, Carrick, and the Isles. They had, doubtless, private wrongs to avenge: the English army of occupation would bear hardly on a conquered and faithless subject people. Another cause which must have brought adherents to Bruce is given, with much fairness, by Hemingburgh. "Many joined Bruce from ill-will at the English justiciaries, by whom they had been put out of their lands in 1306. And because, in accordance with English law, the Scots have been punished by burning, by being torn to pieces at the heels of horses, and by hanging, therefore they rose like one man, preferring death to the laws of England."[37] Indeed no mortal can marvel at their choice. Not the cause of Bruce, but the abominable cruelties of English law, drew the Scots to the victor of Glen Trool and Loudon Hill. Moreover, Bruce had on his side a power which, in after-years, was ruinous to his house, "the false preachers," as the Forfar letter calls them, preachers who had been "attached before the justices" as abettors of war.

The pulpit was already a force in Scotland: the women, also, as Barbour tells us, were leal to a cause seemingly forlorn and to a very perfect knight. From them Bruce often received intelligence. Above all, he had his own vast bodily strength, his courage, his genius, his power of winning hearts, his generalship, and his knowledge of the country. Each little success of Bruce, or of Douglas, meant more soldiers under his standard. His party grew, and the indis-

cretions of Edward II. gave him his opportunity. Scotland was not freed purely by a far-seeing patriotism, but by the genius of a desperate man, by the clergy, and by the gradual discovery that the interests of individuals and of ordinary humanity were, on the whole, safer in Bruce's hands than in those of the English, and the detestable "English law."

When the winter drew on in 1307, Bruce moved to the North, where, as the Forfar letter shows, he had hopes of finding partisans. At Inverurie Bruce long lay sick and outwearied, and was harassed by the Earl of Buchan, a Comyn. But, in May 1308,[38] Bruce surprised and routed Buchan at Inverurie, wasting his lands with a severity which proved to men that the English party could no longer protect them. This was the famous "herschip of Buchan." The very forests were burned, and their blackened trunks, in the mosses, tell of feudal revenge.[39] Bruce won Aberdeen and Forfar Castle, and threatened Perth. Edward dallied, raised levies, dismissed them, and encouraged his generals to enter into truces with the enemy. In the South, the men of Ettrick Forest and Tweed, whose lands had been given to Aymer de Valence, now came over to Bruce. Randolph was captured in Tweeddale, imprisoned, and finally reconciled to his uncle. Edward Bruce now defeated the English on the Cree. In Galloway the ancient clan of Macdowal was ever hostile to Bruce, whose House, since David I., had been interlopers in their lands. They were not disheartened, but returned in greater force, hoping to surprise Edward Bruce. Edward, however, had information of their approach, and what Barbour calls "great ferly"[40] (great marvel) followed.

Some English historians regard Barbour as "a great legendary storehouse, historically worthless."[41] This is, as a rule, an entire mistake. Barbour's estimate of numbers, for example, is sometimes corroborated to a tittle by the State Papers of Edward I.,[42] while Hemingburgh makes Bruce skulk in Glen Trool with a fancied force of 10,000 men, who could not possibly have been fed in the lonely wilderness. At this point of Edward Bruce's adventures in Galloway, Barbour cites his authority, an eyewitness, "Schyr Alane of Catkert by name," Sir Alan Cathcart. Relying on contemporary testimony, Barbour, like Knox, may confuse dates in his narrative; but, for facts, he is often the most trustworthy authority we possess. In this case he tells us how Edward Bruce concealed his infantry in a glen, and rode forth with fifty men-at-arms, well mounted, to attempt a

surprise. He came on the track of the advancing English, from the rear, and followed it in a mist. Suddenly the dense white fog which occasionally haunts these hills lifted, and he found himself within a bow-shot of men who outnumbered him by thirty times. But Edward Bruce,—

> "That great yearning had
> All times to do chivalry,"—

swept down with his fifty horse in the spirit of William the Lion. He drove at the English ranks of men astonished by this elfin charge out of the mist, he "thirled" through them, and charged again, so that the English fled, with great loss. Thus, by sheer "hard fechting," Edward won Galloway, with thirteen castles, to his brother's peace. As Galloway lies within striking distance of the English mustering-point of Carlisle, this service cannot be too highly estimated.

In March, probably, of the year 1309, Bruce routed the Macdoualls of Argyll, and Lorne's men, on Loch Awe. Lorne's force lay on the steep hillside above the narrow and precipitous outlet where Loch Awe narrows to a gorge, and pours its racing waters down the Pass of Brander. Lorne himself was in his galley on the neighbouring Loch Etive. Bruce warily sent Douglas round a spur of Cruachan to come upon the rear of the Highlanders. He himself, with his men, entered the pass and was attacked by arrows, and great rocks rolled down the crag. Bruce's division charged up the hill, Douglas came round and fell on the Highland rear, the Argyll clansmen fled to a bridge over the Awe. Bruce won the bridge: the Highlanders were drowned or slain, and Lorne had to trust to his galley, like Argyll at Inverlochy. The date is March-June, and Lorne, in a letter to Edward, says that he is greatly outnumbered.[43] In summer 1309, Bruce took the Macdouall strength, Dunstaffnage Castle, near Oban. In March 1309, he had been able, it is said, to hold a Parliament at St Andrews, while the clergy warmly supported him in an assembly at Dundee (February 24, 1310). The vacillations of Edward II. betray themselves in the circumstance that, in a single year, he appointed six distinct governors of Scotland. On June 16, 1309, Edward met his council, and some refugees of Scotland, including Alexander of Argyll and John of Lorne. He bade Aymer de Valence meet him at Berwick, for an attack on Scotland; but, by August 21, he gave the Earl of Ulster a commission to treat for peace with Bruce. The Scottish

envoys were that incongruous pair, the loyal Sir Nial Campbell and the turn-coat Menteith.[44] The captor of Wallace is now found a convert to patriotism and Bruce.

The English ship was sinking and the rats left. Late in 1310 Edward invaded Scotland, while Bruce merely retired, stripping the country as he went. Edward was in the heat of his troubles with his barons: for Piers Gaveston he lost as much as did Anthony for Cleopatra. The varying fortunes of this sentimental infatuation made a definite Scottish policy out of the question. In August 1311 Bruce crossed the Border, harrying in a more clement fashion than had been in use of old. Thus he and his brother Edward, for two years, made war pay for war, and extracted indemnities from the northern English counties. Yet, even at this date, we find many Scots, even Annandale Scots, on the English side, and the plan of placing the father in one camp, the son in the other, prevailed, as in 1745. In August 1312, Bruce, taking advantage of discords among the English, seized Corbridge, and sent a force to Durham. The town was sacked and in part burned: the castle and abbey were too strong for the raiders to injure. The Durham people, however, hopeless of aid from Edward, bought a private truce till June 24, 1314, at the price of £2000, as did the counties of Westmorland and Cumberland. Hostages, sons of magnates, were delivered to Bruce as securities for part of the ransom. Douglas sacked Chester, but failed, and was wounded under Carlisle wall.[45] Times had changed, indeed, since King Hobbe was a fugitive skulking among the lochs and "lanes" of Galloway. To take Berwick was now his ambition, and an onfall was made by a night surprise (December 6, 1312). The Lanercost chronicler saw, and admiringly describes, the ingenious rope scaling-ladders, with grappling-irons at the top, whereby the Scots meant to scale the walls, the crests of which were not higher than a long spear. Unluckily a dog barked so loud that he woke the garrison, and saved Berwick, as the Roman geese saved the Capitol. The ladders were seized, and hung up by way of derision.[46]

Disappointed here, on January 8 (10 ?), 1312-13,[47] Bruce took Perth. It was commanded for England by the gallant defender of Stirling against Edward I., Sir William Oliphant, who, weary of prison, or not recognising in the slayer of the Red Comyn a worthy successor of Wallace, had taken service under the Leopards. Finding a point in the moat where men might cross by wading shoulder

deep, Bruce withdrew his forces by way of a ruse. During a week of retreat he had ladders fashioned, and then in the mirk of midnight silently returned. No cry of sentinels was heard from the walls, and Bruce himself, like Jeanne d'Arc at Paris, fathomed the moat with his lance-shaft. He discovered a place where the water was throat-high, he seized a ladder, and led the advance. A French knight in his company crossed himself, for the marvel that the king

> "In such peril has him set
> To win a wretched hamlet."

Then he ran forward, leaped into the ditch, and followed the king. The town was lightly won, with no massacre, and Bruce, according to his regular policy, levelled the walls.[48] Dumfries fell on February 7, 1313,[49] and Buittle, Dalswinton, and Lochmaben followed. Douglas, by a ruse, took Roxburghe Castle on February 28, 1313-14,[50] and the Peel on the following day. In the same Lent Linlithgow also fell. A patriotic labourer, Binny, filled a wain with armed men, covered them with hay, and so blocked the gate with his wain that the portcullis could not fall. The castle was taken and razed. Randolph scaled Edinburgh Castle rock on the side facing what is now Princes Street while a feint was made on the opposite wall.[51] The story of William François is well known. He, from the experience of an old love-adventure, knew a way up the face of the rock. But how, by descending the rock to the Nor' Loch, he came any nearer to "ane wench here in the toun," it is not easy to conjecture. Save Tyre, captured by Alexander the Great, Barbour heard never of a strength taken so adventurously. Bruce, as was his constant policy, dismantled the castle. In the spring of 1313, Bruce recovered the Isle of Man, later bestowed on Randolph. Edward Bruce, in Lent 1313, invested Stirling Castle; on Midsummer Day a pact was made that it should be surrendered, if not relieved in one year.[52] This pleased Edward II. as much as it vexed Bruce. To fight the Scots in the open, after due preparation, was precisely what Edward desired, while a guerilla warfare suited the resources and levies of the Scots. But Edward Bruce's word was pledged, and men, reckless of perjury in civil affairs, held, in war, by chivalrous honour. Gaveston by this time was slain, and most of the barons, with musters from Ireland, Wales, and Aquitane, followed Edward to the North, when the tryst at Berwick, for June 11, 1314, drew near.

Bannockburn, like the Relief of Orleans, or Marathon, was one of the decisive battles of the world. History hinged upon it. If England won, Scotland might have dwindled into the condition of Ireland,—for Edward II. was not likely to aim at a statesmanlike policy of union, in his father's manner. Could Scotland have accepted union at the first Edward's hands; could he have refrained from his mistreatment (as we must think it) of Balliol, the fortunes of the isle of Britain might have been happier. But had Scotland been trodden down at Bannockburn, the fortunes of the isle might well have been worse.

The singular and certain fact is, that Bannockburn was fought on a point of chivalry, on a rule in a game. England must "touch bar," relieve Stirling, as in some child's pastime. To the securing of the castle, the central gate of Scotland, north and south, England put forth her whole strength. Bruce had no choice but to concentrate all the power of a now, at last, united realm, and stand just where he did stand. His enemies knew his purpose: by May 27, writs informed England that the Scots were gathering on heights and morasses inaccessible to cavalry. If ever Edward showed energy, it was in preparing for the appointed Midsummer Day of 1314. The 'Rotuli Scotiæ' contain several pages of his demands for men, horses, wines, hay, grain, provisions, and ships. Endless letters were sent to master mariners and magistrates of towns. The king appealed to his beloved Irish chiefs, O'Donnells, O'Flyns, O'Hanlens, MacMahons, M'Carthys, Kellys, O'Reillys, and O'Briens, and to *Hiberniæ Magnates, Anglico genere ortos*, Butlers, Blounts, de Lacys, Powers, and Russels. John of Argyll was made admiral of the western fleet, and was asked to conciliate the Islesmen, who, under Angus Og, were rallying to Bruce. The numbers of men engaged on either side in this war cannot be ascertained. Each kingdom had a year wherein to muster and arm.

> "Then all that worthy were to fight
> Of Scotland, set all hale their might;"

while Barbour makes Edward assemble, not only

> "His own chivalry
> That was so great it was ferly,"

but also knights of France and Hainault, Bretagne and Gascony, Wales, Ireland, and Aquitaine. The whole English force is said to

have exceeded 100,000, 40,000 of whom were cavalry, including 3000 horses "barded from counter to tail," armed against stroke of sword or point of spear.[53] The baggage-train was endless, bearing tents, harness, "and apparel of chamber and hall," wine, wax, and all the luxuries of Edward's manner of campaigning, including *animalia*, perhaps lions.[54] Thus the English advanced from Berwick—

> "Banners right fairly flaming,
> And pencels to the wind waving."

On June 23, Bruce heard that the English host had streamed out of Edinburgh, where the dismantled castle was no safe hold, and were advancing on Falkirk. Bruce had summoned Scotland to tryst in the Torwood, whence he could retreat at pleasure, if, after all, retreat he must. The Fiery Cross, red with the blood of a sacrificed goat, must have flown through the whole of the Celtic land. Lanarkshire, Douglasdale, and Ettrick Forest were mustered under the banner of Douglas, the mullets not yet enriched with the royal heart. The men of Moray followed their new earl, Randolph, the adventurous knight who scaled the rock of the Castle of the Maidens. Renfrewshire, Bute, and Ayr were under the fesse chequy of young Walter Stewart. Bruce had gathered his own Carrick men, and Angus Og led the wild levies of the Isles. Of stout spearmen, and fleet-footed clansmen, Bruce had abundance; but what were his archers to the archers of England, or his five hundred horse under Keith, the Marischal, to the rival knights of England, Hainault, Guienne, and Almayne?

Battles, however, are won by heads, as well as by hearts and hands. The victor of Glen Trool and Cruachan and Loudon Hill knew every move in the game, while Randolph and Douglas were experts in making one man do the work of five. Bruce, too, had choice of ground, and the ground suited him well.

To reach Stirling the English must advance by their left, along the so-called Roman way, through the village of St Ninian's, or by their right, through the Carse, partly enclosed, and much broken, in drainless days, by reedy lochans. Bruce did not make his final dispositions till he learnt that the English meant to march by the former route. He then chose ground where his front was defended, first by the little burn of Bannock, which at one point winds through a cleugh with steep banks, and next by two morasses, Halbert's bog

and Milton bog. What is now arable ground may have been a loch in old days, and these two marshes were then impassable by a column of attack.[55] Between Charter's Hall (where Edward had his headquarters) and Park's Mill was a marge of firm soil, along which a column could pass, in scrubby country, and between the bogs was a sort of bridge of dry land. By these two avenues the English might assail the Scottish lines. These approaches Bruce is said to have rendered difficult by pitfalls, and even by calthrops to maim the horses. It is whispered that calthrops for tourists are occasionally manufactured by modern local enterprise.[56] He determined to fight on foot, the wooded country being difficult for horsemen, and the foe being infinitely superior in cavalry. His army was arranged in four "battles," with Randolph to lead the vaward, and watch against any attempt to throw cavalry into Stirling. Edward Bruce commanded the division on the right, next the Torwood. Walter Stewart, a lad, with Douglas, led the third division. Bruce himself and Angus Og, with the men of Carrick and the Celts, were in the rear. Bruce had no mind to take the offensive, and, as at the Battle of the Standard, to open the fight with a charge of impetuous mountaineers. On Sunday morning Mass was said, and men shrived them.

> "They thought to die in the *mêlée*,
> Or else to set their country free."

They ate but bread and water, for it was the vigil of St John. News came that the English had moved out of Falkirk, and Douglas and the Steward brought tidings of the great and splendid host that was rolling north. Bruce bade them make little of it in the hearing of the army. Meanwhile Philip de Mowbray, who commanded in Stirling, had ridden forth to meet and counsel Edward. His advice was to come no nearer: perhaps a technical relief was held to have already been secured by the presence of the army.[57] Mowbray was not heard,—"the young men" would not listen. Gloucester, with the van, entered the park, where he was met, as we shall see, and Clifford, Beaumont, and Sir Thomas Grey, with three hundred horsemen, skirted the wood where Randolph was posted, a clear way lying before them to the castle of Stirling. Bruce had seen this movement, and told Randolph that "a rose of his chaplet was fallen," the phrase attesting the king's love of chivalrous romance. To pursue horsemen with infantry seemed

vain enough; but Randolph moved out of cover, thinking perhaps that knights adventurous would refuse no chance to fight. If this was his thought, he reckoned well. Beaumont cried to his knights, "Give ground, leave them fair field." Gray hinted that the Scots were in too great force, and Beaumont answered, "If you fear, fly!" "Sir," said Sir Thomas, "for fear I fly not this day!" and so spurred in between Beaumont and d'Eyncourt and galloped on the spears. D'Eyncourt was slain, Gray was unhorsed and taken.[58] The three hundred lances of Beaumont then circled Randolph's spearmen round about on every side, but the spears kept back the horses. Swords, maces, and knives were thrown; all was done as by the French cavalry against our squares at Waterloo, and all as vainly. The hedge of steel was unbroken, and, in the hot sun of June, a mist of dust and heat brooded over the battle.

"Sic mirkness
In the air above them was,"

as when the sons of Thetis and the Dawn fought under the walls of windy Troy.[59] Douglas beheld the distant cloud, and rode to Bruce, imploring leave to hurry to Randolph's aid. "I will not break my ranks for him," said Bruce; yet Douglas had his will. But the English wavered, seeing his line advance, and thereon Douglas halted his men, lest Randolph should lose renown. Beholding this, the spearmen of Randolph, in their turn, charged and drove the weary English horse and their disheartened riders. Meanwhile Edward had halted his main force to consider whether they should fight or rest. But Gloucester's party, knowing nothing of his halt, had advanced into the wooded park; and Bruce rode down to the right in armour, and with a gold coronal on his basnêt, but mounted on a mere palfrey. To the front of the English van, under Gloucester and Hereford, rode Sir Henry Bohun, a bow-shot beyond his company.[60] Recognising the king, who was arraying his ranks, Bohun sped down upon him, apparently hoping to take him:—

"He thought that he should well lightly
Win him, and have him at his will."

But Bruce, in this fatal moment, when history hung on his hand and eye, uprose in his stirrups and clove Bohun's helmet, the axe breaking in that stroke. It was a desperate but a winning blow:

Bruce's spears advanced, and the English van withdrew in half-superstitious fear of the omen. His lords blamed Bruce, but

> "*The king has answer made them none*,[61]
> But turned about the axe-shaft, wha
> Was with the stroke broken in twa."

Initium malorum hoc ("this was the beginning of evil"), says the English chronicler.[62]

After this double success in the Quatre Bras of the Scottish Waterloo, Bruce, according to Barbour, offered to his men their choice of withdrawal or of standing it out. The great general might well be of doubtful mind—was to-morrow to bring a second and more fatal Falkirk? The army of Scotland was protected, as Wallace's army at Falkirk had been, by difficult ground. But the English archers might again rain their blinding showers of shafts into the broad mark offered by the clumps of spears, and again the English knights might break through the shaken ranks. Bruce had but a few squadrons of horse—could they be trusted to scatter the bowmen of the English forests, and to escape a flank charge from the far heavier cavalry of Edward? On the whole, was not the old strategy best, the strategy of retreat? So Bruce may have pondered. He had brought his men to the ring, and they voted for dancing. Meanwhile the English rested on a marshy plain "outre Bannockburn" in sore discomfiture, says Gray. He must mean *south* of Bannockburn, taking the point of view of his father, at that hour a captive in Bruce's camp. He tells us that the Scots meant to retire "into the Lennox, a right strong country" (this confirms, in a way, Barbour's tale of Bruce suggesting retreat), when Sir Alexander Seton, deserting Edward's camp, advised Bruce of the English lack of spirit, and bade him face the foe next day.[63] To retire, indeed, was Bruce's, as it had been Wallace's, natural policy. The English would soon be distressed for want of supplies; on the other hand, they had clearly made no arrangements for an orderly retreat, if they lost the day: with Bruce this was a motive for fighting them. The advice of Seton prevailed: the Scots would stand their ground.

The sun of Midsummer Day rose on the rite of the Mass done in front of the Scottish lines. Men breakfasted, and Bruce knighted Douglas, the Steward, and others of his nobles.[64] The host then

moved out of the wood, and the standards rose above the spears of the schiltrons. Edward Bruce held the right wing; Randolph the centre; the left, under Douglas and the Steward, rested on St Ninian's. Bruce, as he had arranged, was in reserve with Carrick and the Isles. "Will these men fight?" asked Edward, and Sir Ingram assured him that such was their intent. He advised that the English should make a feigned retreat, when the Scots would certainly break their ranks—

"Then prick we on them hardily."

Edward rejected this old ruse, which probably would not have beguiled the Scottish leader. The Scots then knelt for a moment of prayer, as the Abbot of Inchafray bore the crucifix along the line; but they did not kneel to Edward. His van, under Gloucester, fell on Edward Bruce's division, where there was hand-to-hand fighting, broken lances, dying chargers, the rear ranks of Gloucester pressing vainly on the front ranks, unable to deploy for the straitness of the ground. Meanwhile, Randolph's men moved forward slowly, with extended spears, "as they were plunged in the sea" of charging knights. Douglas and the Steward were also engaged, and the "hideous shower" of arrows was ever raining from the bows of England. This must have been the crisis of the fight, according to Barbour, and Bruce bade Keith with his five hundred horse charge the English archers on the flank.[65] The bowmen do not seem to have been defended by pikes; they fell beneath the lances of the Marischal, as the archers of Ettrick had fallen at Falkirk. The Scottish archers now took heart, and loosed into the crowded and reeling ranks of England, while the flying bowmen of the South clashed against and confused the English charge. Then Scottish archers took to their steel sperthes (who ever loved to come to hand strokes), and hewed into the mass of the English, so that the field, whither Bruce brought up his reserves to support Edward Bruce on the right, was a mass of wild confused fighting. In this mellay the great body of the English army could deal no stroke, swaying helplessly as Southern knights or Northern spears won some feet of ground. So, in the space between Halbert's Bog and the burn, the mellay rang and wavered, the long spears of the Scottish ranks unbroken, and pushing forwards, the ground before them so covered with fallen men and horses that the English advance was

clogged and crushed between the resistance in front and the pressure behind.

"God will have a stroke in every fight," says the romance of Malory. While discipline was lost, and England was trusting to sheer weight and "who will pound longest," a fresh force, banners displayed, was seen rushing down the Gillies' Hill, beyond the Scottish right. The English could deem no less than that this multitude were tardy levies from beyond the Spey, above all when the slogans rang out from the fresh advancing host. It was a body of yeomen, shepherds, and camp-followers, who could no longer remain and gaze when fighting and plunder were in sight. With blankets fastened to cut saplings for banner-poles, they ran down to the conflict. The king saw them, and well knew that the moment had come: he pealed his ensenye (called his battle-cry); faint hearts of England failed; men turned, trampling through the hardy warriors who still stood and died; the knights who rode at Edward's rein strove to draw him towards the castle of Stirling. But now the foremost knights of Edward Bruce's division, charging on foot, had fought their way to the English king, and laid hands on the rich trappings of his horse. Edward cleared his way with strokes of his mace, his horse was stabbed, but a fresh mount was found for him. Even Sir Giles de Argentine, the third best knight on ground, bade Edward fly to Stirling Castle. "For me, I am not of custom to fly," he said, "nor shall I do so now. God keep you!" Thereon he spurred into the press, crying "Argentine!" and died among the spears.[66] None held their ground for England. The burn was choked with fallen men and horses, so that folk might pass dry-shod over it. The country-people fell on and slew. If Bruce had possessed more cavalry, not an Englishman would have reached the Tweed. Edward, as Argentine bade him, rode to Stirling, but Mowbray told him that there he would be but a captive king. He spurred South, with five hundred horse, Douglas following with sixty, so close that no Englishman might alight, but was slain or taken. Laurence de Abernethy, with eighty horse, was riding to join the English, but turned, and, with Douglas, pursued them. Edward reached Dunbar, whence he took boat for Berwick. In his terror he vowed to build a college of Carmelites, students in theology. It is Oriel College to-day, with a Scot for provost. Among those who fell on the English side were the son of the Red

Comyn, Gloucester, Clifford, Harcourt, Courtenay, and seven hundred other gentlemen of coat-armour were slain.[67] Hereford, (later) with Angus, Umfraville, and Sir Thomas Grey were among the prisoners. Stirling, of course, surrendered.

The sun of Midsummer Day set on men wounded and weary, but victorious and free. The task of Wallace was accomplished. To many of the combatants not the least agreeable result of Bannockburn was the unprecedented abundance of booty. When campaigning Edward denied himself nothing. His wardrobe and arms; his enormous and, apparently, well-supplied array of food-waggons; his ecclesiastical vestments for the celebration of victory; his plate; his siege-artillery; his military chests, with all the jewellery of his young minion knights, fell into the hands of the Scots. Down to Queen Mary's reign we read, in inventories, about costly vestments, "from the fight at Bannockburn." In Scotland it rained ransoms. The 'Rotuli Scotiæ,' in 1314 full of Edward's preparation for war, in 1315 are rich in safe-conducts for men going into Scotland to redeem prisoners. One of these, the brave Sir Marmaduke Twenge, renowned at Stirling Bridge, hid in the woods on Midsummer's Night, and surrendered to Bruce next day. The king gave him gifts, and set him free unransomed. Indeed, the clemency of Bruce after his success is courteously acknowledged by the English chroniclers.[68]

This victory was due to Edward's incompetence, as well as to the excellent dispositions and indomitable courage of Bruce, and to "the intolerable axes" of his men. No measures had been taken by Edward to secure a retreat. Only one rally, at "the Bloody Fauld," is reported. The English fought wildly, their measures being laid on the strength of a confidence which, after the skirmishes of Sunday, June 23, they no longer entertained. They suffered what, at Agincourt, Creçy, Poictiers, and Verneuil, their descendants were to inflict. Horses and banners, gay armour and chivalric trappings, were set at nought by the sperthes and spears of infantry acting on favourable ground. From the dust and reek of that burning day of June, Scotland emerged a people, firm in a glorious memory. Out of weakness she was made strong, being strangely led through paths of little promise since the day when Bruce's dagger-stroke at Dumfries closed from him the path of returning.

Everything now went well with Bruce. Stirling Castle he dismantled; Hereford, who had taken refuge with Hamilton in Bothwell

Castle, was exchanged for the versatile Bishop of Glasgow, the queen, and her daughter Marjory, presently wedded to Walter the Steward. She became the mother of Robert, later Robert II. In August, Edward Bruce, Douglas, and Soulis raided and ransomed northern England: these raids were continually repeated, till northern Englishmen were almost or altogether fain to pass under Scottish rule. But John of Lorne, Bruce's old enemy, recovered Man, for a while, very early in 1315. All his days he troubled Scotland with his fleet. By another piece of bad fortune Bruce was driven back from Carlisle by Andrew de Hartcla, in August 1315.[69] Edward later dismissed Andrew from the governorship of Carlisle, in favour of John de Castre. But Hartcla either held his post or was soon reinstated, unfortunately for himself in the end. We also notice that the Earl of Atholl had been on the English side, Barbour says because of private feud with Edward Bruce, who loved his sister *par amours*. This disaffection of Atholl, like the wavering faith of Hartcla, was to have the gravest results. These arose from a Parliament held by Bruce, in which he confiscated the lands of all who would not come into his peace: this, of course, exasperated many persons of rank whose interests or affections looked towards England.[70] By this act, which seems natural to us, Bruce sowed the seeds of later ruin and reaction. The disinherited lords, in the following reign, were the instruments whereby Edward III. reduced Scotland even to a lower place than it had held under Edward I. Again, if the opinion be correct which holds that Clan Macgregor now lost its lands, as being of the party of the Lords of Lorne, then, in lack of estates, the Gregara became the "wicked clan" of disinherited outlaws.

It was not good feudal policy to drive unfaithful subjects desperate by confiscation. Even great nobles of that age, and gallant gentlemen, were of Dugald Dalgetty's mind, and changed sides, like Sir William Oliphant, from year to year. We have seen how often Bruce sinned against Edward, and was pardoned. Oliphant played a heroic part for both sides. Mowbray, who had held Stirling for Edward, after Bannockburn took service with Bruce. That king had scarcely a knight, save Douglas, who had not served Edward: Randolph is a typical example. Lamberton had changed parties four times, Wishart six times. Public opinion was lenient to these versatilities; and Bruce's forfeitures were, for many years after his death, fatal to his country.[71]

Some attempts at national reconciliation were now made; Scots and English Commissioners met to decide on terms of peace, but came to no agreement. In April 1315, a Parliament held at Ayr determined the succession. If Robert died without heir-male of his body begotten, then, by his daughter Marjory's consent, Edward Bruce was to be king. Failing Edward and heirs-male of his, Marjory (wife of the Steward) was to be crowned. If either Robert, Edward, or Marjory died leaving an heir who was a minor, Randolph was to be guardian.

The Bruces now entered on an unfortunate adventure. Edward Bruce sought a crown in Ireland (May 1315). That Robert permitted or persuaded him to take this course because he feared his ambition at home, is not probable. Edward was accompanied by Randolph and by Sir Philip Mowbray, who had held Stirling for Edward. The romantic tale of the Irish expedition is given by Barbour: it has no essential bearing on Scottish history. While Douglas harried England, Edward Bruce met various fortunes in the distressful and distracted isle of Ireland. Bruce himself left his own kingdom to the sway of Douglas and Walter Steward: he failed before Dublin, wasted the West as far as Limerick, was driven north by failure of provisions, and returned with Randolph to Scotland early in 1317. Probably the chief result of the expedition is Barbour's anecdote of Bruce's chivalrous—nay, more than chivalrous—conduct in halting his army rather than desert a poor *landar* (washerwoman) in child-bed.

"This was a full gret curtasy,"

for the chivalrous sentiment did not always embrace the cause of the poor and lowly. The anecdote illustrates the noblest of Bruce's many sources of influence, his consideration for others. If Barbour's account of Edward Bruce's last battle and death, at Dundalk, is correct, Bruce's brother had far more of hot-headed valour than of generalship (October 5, 1318). He had assumed the title of King of Ireland.

During these Irish troubles Douglas had been making his name the traditional terror of the marches of England, as in the lullaby—

"Hush thee, hush thee, do not fret thee;
The Black Douglas shall not get thee!"[72]

The English retaliated by a landing in Fife. Here Sinclair,

Bishop of Dunkeld, rallied a fugitive local force and drove the English in flight. Bruce called him "his own bishop." Edward now attempted to do by diplomacy what he could not achieve by arms. He appealed to the Pope (John XXII.) Rome, as we saw, had once been strong on the Scottish side, but Bruce's murder of Comyn set him outside the pale of Christian charity. The consequent excommunications had been received in a cavalier spirit by the Scots. In April 1317, John composed, at Avignon, a bull exhorting the Scots to keep the peace. Bruce was alluded to as "our well-beloved son, the noble Robert Bruce, at present governing the kingdom of Scotland." Now Bruce would be addressed by no title but that of king, and the messengers of two cardinals, then in England, give a curious account of their interview with Bruce. They had a miserable journey. English reivers of the marches (probably in collusion with Bruce) seized them, captured their documents, stripped them, and let them go (September 7, 1317). Bruce, however, received them courteously, but could not answer before consulting his Parliament. He could not accept letters only directed to "Robert de Brus," for several barons of that name were aiding in the government of Scotland. Letters addressed to him as king he would respect, not others: these were obviously meant for some other Robert Bruce. In fact, if the envoys had carried such epistles to another king, they might have got another, and more disagreeable, answer. Bruce, however, spoke with a smile, and in friendly fashion, as the messengers acknowledged (*læta facie, et amicabili vultu*). He would not cease his operations of war, and the messengers declared that he had his countrymen's opinion on his side. Their letters enjoining peace simply could not be served on Bruce. The Scots were never tractable children of Rome.[73] Another messenger was now sent—Adam Newton of the Minorite Friars of Berwick—to serve, if possible, the papal bull in favour of a truce on the recalcitrant Robert. He travelled through England to Berwick, "not without much tribulation." Thence he went to Old Cambus, where he "found Robert de Brus, skulking in a wood with his accomplices, and with divers machines of his for the taking of Berwick." The messenger received a safe-conduct back to Berwick, where he had cautiously left his ecclesiastical ammunition of curses; but, returning from Berwick with his bulls, he was not permitted to see the king. The envoy, however, handed to Bruce's men the bull of truce with England, but Robert despised it, and

refused all documents in which he was not addressed by the royal title. The wretched messenger, in sad fear "for his mortal life," asked for a fresh safe-conduct to Berwick, but only received a warning to "get out of the country as quick as he might." Next morning he was thrust forth, and, on the road to Berwick, four ill-favoured ones robbed him of letters, clothes, and all. He was stripped *ad carnem*, "to the buff," and a nude ecclesiastic in sorry case entered the good town of Berwick.[74]

Edward had already prepared to invade Scotland, and Bruce to take Berwick. The town was betrayed to Douglas and Randolph: the resistance of the garrison was overcome in time, and Walter Stewart was made governor of the place.[75] A raid into the north of England prevented assistance from reaching the English defender of Berwick; but as Edward would certainly try to regain it, Bruce strongly armed the town, and lent to Walter Stewart a Flemish engineer and adventurer, John Crab. Meanwhile the Pope, who had heard of his envoy's ill-treatment, was apostolically engaged in fulminating curses against Bruce.

Possibly they took effect in the death of Edward Bruce at Dundalk (October 5, 1318), an event which made necessary a new settlement of the succession. This was fixed, in a Parliament at Scone (December 1318), on the infant Robert Stewart, son of Marjory, Bruce's daughter, and Walter, always provided that Robert Bruce died without male offspring. Moray was to be guardian, in the event of a minority. "The Act," says Mr Burton, "is an exposition of that pure law of hereditary descent which now renders the succession to the British throne as distinct and certain as any process in the exact sciences. If the principle had been admitted in England as distinctly as it was stated in the Scots Act, there would have been no room for the wars of the Roses." But the succession, in Scotland, was still far from being really secure against internal plots and external interference. Among regulations of this Parliament was a sardonic reference to Roman Law. "The *laws forbid* the faithful to comfort the *Barbarians* by supplies of arms and food," an extract from a regulation of the Emperor Marcian. Therefore "we forbid any export of supplies to *the English*," who are barbarians. The same statute of 1318 forbade English absentees to draw money from their Scottish estates; this was aimed at a disinherited lord, David de Strathbolgie, Earl of Atholl, who was of the English party, though his father had been

hanged for Bruce's cause. This Earl of Atholl became a curse of Scotland. At the same time the useful statute against "leasing making," or publication of rumours which might raise discord between king and people, was passed. The statute was vague, and was hardly consistent with the liberty of the press, had a press existed. This law became a serviceable, if scarcely a constitutional, weapon of authority: it was borrowed from the legal armoury of Edward I.[76]

The Pope was now Edward's chief resort. We find Edward informing the Pontiff that he has secret intelligence about noble Scots who wish to come into his peace. Edward expects disunion among his northern enemies, and favourable results both for himself and Mother Church.[77] Some treachery was budding: it ripened later, and Edward thus initiated the regular policy of all the Tudors, to purchase Scottish traitors. Meanwhile, in July 1319, Edward mustered his forces for an attack on Berwick. The mechanical ingenuity of medieval siege appliances was great: we hear of a ship which, steered under the wall, would let fall a bridge upon it from her mast; of a "sow," a kind of movable mine, which transported men to the walls under cover. Against these and other devices, John Crab, the Flemish adventurer, used engines for discharging stones. "Bot gynis for crakkis had he nane,"—gunpowder and cannon were still unknown in Scotland (Barbour). The walls of Berwick were so low "that a man with a spear might strike another up in the face."

Natheless the Scots held their own, a missile from Crab's engine "caused the sow to farrow," and slew or scattered the armed men within her: Stewart repelled a party which tried to fire one of his gates. Bruce wisely made a diversion, and Douglas and Randolph overran northern England as far as York. The archbishop raised his militia; but they were routed in the onfall styled "The Chapter of Myton," because of the slaughter of 300 ecclesiastics (Barbour). As a result of this raid, and, apparently, of consequent dissensions among the English under the walls of Berwick, the siege of that town was abandoned. What was more important, terms of peace were considered, and commissioners appointed, though the Pope was now especially busy in cursing Bruce, both with new formulæ of his own and with a revival of the old excommunication for Comyn's murder. A truce, however, was made between England and Scotland (December 22, 1319–Christmas 1321). The Scots

occupied part of their time in a reply to the Pontiff, composed at a Parliament held in Aberbrothock (April 6, 1320). The nobles (who attach their seals) and the whole lay *communitas* write a letter in the most explicit terms to his Holiness. After the usual prelude about Scythians and St Andrew, the Scots accuse Edward I. in much the same terms as he was wont to apply to the Scots. He burned monasteries, slew, devastated, and spared neither age, rank, sex, nor even the religious.[78] To Robert Bruce, as to another Judas Maccabeus, Scotland owes her freedom; but she will obey him only so long as he resists England. If ever he yields to England, another king will be chosen in his room. As long as a hundred Scots are on ground, so long will they fight, not for glory, wealth, or honour, but for freedom, which no good man loses save with his life. Therefore they request the Pope to remonstrate with Edward, to reconcile Christian princes, and to give them opportunity for the rescue of the Holy Land. The Scots themselves are eager to don the Cross. If war continues through the Pope's acceptance of Edward's pleas, the blame falls on his own head. The clergy, for obvious reasons, bear no hand in this admirably explicit remonstrance. Here sounds, perhaps for the first time in many centuries, the classic note of national freedom, which Barbour re-echoes, in words resembling a free version of the panegyric on liberty in Herodotus. Yet there were traitors in the camp.

Among those who sign the letter to the Pope are Soulis, Mowbray, and Sir David Brechin. In August of the same year (1320), these with other nobles were tried and condemned for treason in a Parliament held at Scone. Barbour "heard say" that their conspiracy against Bruce was discovered "throu ane lady," who revealed the scheme of Soulis. He was grandson of Soulis the competitor, whose claim was barred by illegitimacy. He was taken at Berwick and died in prison, the king granting his lands of Liddesdale to his own natural son, Robert Bruce (MS. charter). Several of his accomplices suffered the cruel English death of traitors, including Sir David de Brechin. To him the plot had been revealed, and, though he did not join in it, he did not denounce it. The body of Roger de Mowbray (who died during the trial) was condemned to be hanged, drawn, and beheaded; but Bruce did not actually treat a corpse as those of Cromwell and Ireton were handled. Sir Thomas Gray attributes the betrayal of the plot to Muryoch de Menteith, who in 1317 was in English service.[79]

The whole affair is obscure, but was perhaps a result of English intrigues. Edward certainly tried to work on such Scots as might feel timid about the results of their excommunication. They were few, and Edward had trouble in his own country from the Earl of Lancaster, who aimed at the Crown, and had begun to enter into a secret league with Scotland. He was defeated before joining hands with the Scots, and the two years' truce expired. Encouraged by his success over Lancaster, Edward disregarded the Papal attempts to make peace. The Scots raided England as usual, even to the south of Preston, while Edward mustered an immense army of invasion at Newcastle. Bruce did not meet him; he cleared the Lothians of valuables, and crossed Forth to Culross. Edward, as he wrote to the Archbishop of Canterbury, "found neither man nor beast." He was compelled to retreat, his men destroying Melrose and Dryburgh, slaying the religious, and desecrating the altar. They even stole a pyx—that is, if we may believe the late authority of Fordun. In autumn the Scots made reprisals—Bruce marching against Edward, who lay at Byland Abbey in Yorkshire. The English ran like hares before the hounds, says Sir Thomas Gray.[80] The English, according to Barbour, held the crest of a cliff, where Douglas attacked them, Randolph leaving his own command to serve as a volunteer. The English resisted stoutly, till Bruce sent his Argyll and Isles men to climb the brae, by the crags, not by the path.[81] The Highlanders swarmed up the ascent, like the Gordons at Dargai, took the English in flank and scattered them, Walter Stewart pursuing them to the gates of York. Edward had again to save his life by spurring, with loss of all his baggage. The military superiority which the Scots had acquired over a disunited and disheartened foe was never more clearly displayed than in this scarce-remembered rehearsal of the Heights of Abraham (October 14, 1322). Bruce dismissed, free of ransom, certain French knights, who, chancing to be in England, had seized the opportunity of breaking a lance. Douglas, their rightful captor, he recompensed by lands held on "The Emerald Charter," attested by the gift of an emerald ring. These raids, however brilliant, were never effective, for the Scots had no skill to besiege castles, such as York, where Edward took refuge. Yet the north of England, wearied by endless disaster, showed a tendency to come into the Scottish king's peace, as Edward discovered (January 1322-23). Andrew de Hartela, now Warden of the West

Marches and Earl of Carlisle, had, in fact, entered into a secret covenant with Bruce, whereby he should aid him against all gainsayers: there were also other provisions, inconsistent with Edward's sovereignty. Hartela died the death of a traitor, suffering with intrepidity, and publicly explaining, if not defending, his conduct.[82]

Edward's obstinacy was now vanquished by perpetual disgrace and defeat. After some difficulties, a truce for thirteen years was ratified (May 30,[83] 1323). The Papal excommunication, though lightly enough regarded, still hung over Scotland. Randolph therefore went on a mission to the Pope at Avignon, with the result that his Holiness actually recognised Bruce as king. Lord Hailes is charmed by the artful approaches of Randolph's diplomacy, who induced the Pontiff "to give the title of king to one excommunicated person by the advice of another." Edward, of course, was highly displeased. It was a more popular but really less important fact that, on March 5, 1323-24, Bruce's new queen gave birth to a son, David. Scotland in any case, however, was obviously fated to undergo, as usual, the evils of a minority. Irritated, perhaps, by this unexpected birth, and by the Pope's trimming, Edward called to his court Edward Balliol, from his Norman estates. Though not, for the moment, useful, Edward Balliol was still a card in the English hand. The death of Walter Steward (April 1326) was a set-off against the birth of a Crown Prince. Randolph, that improvised diplomatist, now made an offensive and defensive alliance between France and Scotland.

At a Parliament at Cambuskenneth (1326) the burghs were represented, to vote a grant.[84] The expenses of war, though often recouped by plunder, had been heavy. The Parliament granted the tenth of all rents. The king is to impose no other *collectæ*, and to moderate exactions of *prisæ et cariagia*. The grant was to cease with the king's life.[85] This is the most notable fact in the hitherto scanty constitutional history of Scotland. "There was a compact between the king and the Three Estates; a claim of right; redress of grievances, a grant of supplies, and a strict limitation of the grant."

The January of 1327 saw the abdication of Edward II., whose cruel murder was not long delayed. The truce was now either broken, or menaced, by the Scots; young Edward III. summoned his forces to Newcastle; Douglas and Randolph crossed over the western Border, and Edward III., with a large force and foreign

mercenaries, marched on the smoke of their burnings. It is to this expedition that the description of a Scottish raiding force, given by Froissart, borrowing from an earlier writer, applies. Every one has heard of the *griddle*, a round thin iron plate, and bag of oatmeal, which each man carried—and of the oatcakes and jerked beef of the amateur commissariat. Unhampered by baggage-trains or waggons, the Scots moved too swiftly for the English regular forces with their knightly luxuries. The English held the fords of Tyne, to stop the Scots in retreat; but a sudden spate separated their forces, and delay meant famine. Finally the Scots were found in an impregnable post above the river Weir. Edward made chivalrous proposals, "Cross and fight me, or let me cross and fight you." The Scots did not anticipate the follies of Flodden and Dunbar: they were led by Douglas and Randolph, not by a hot-headed king, or by Presbyterian preachers. Edward could only lie in watch, and the Scots withdrew in the dark to a place yet stronger. Thence Douglas led a night onfall, and nearly caught King Edward. Again the Scots withdrew secretly, bridging a morass with brushwood. Pursuit was hopeless, and the young English king is said to have wept tears of anger. Though Bruce is reported to have been prevented by leprosy from joining in this raid, he was really invading the North of Ireland, where his purpose was defeated by Irish treachery.[86] Other raids followed; then came proposals for peace, and for a match between David, Crown Prince of Scotland, and Joanna, a sister of Edward III. The end was "the shameful Treaty" of Northampton (May 4, 1328). The English copy of this treaty is not known to exist, but the Scottish duplicate is at Edinburgh, "with the seals of the three lay Plenipotentiaries still pretty entire."[87]

The provisions of the Treaty of Northampton may be summarised thus: There is, the marriage of David of Scotland and Joanna of England. Peace between the countries, saving the Scottish king's duties to his ally of France. Bruce is recognised as king. All documents involving Scottish servitude to England to be given up; but to be returned by the Scots if Scotland fails to pay £20,000 in three annual instalments. The King of England is to persuade the Pope to relax his severities against Scotland. Nothing is said here of the restoration of the Black Rood, or of the Stone of Scone, which the citizens of London would not allow to be moved.[88] Edward, however, bids the Dean and Chapter of Westminster hand over the stone to the sheriffs of London, obviously for transport to

Scotland.[89] Lands which fell by war or forfeiture into either king's hands were not to be restored to the former owners, save in the cases of three English noblemen, Henry Percy, Henry de Beaumont, representing the Earl of Buchan, and Thomas Wake, Lord of Liddesdale. From this affair of disinheriting *enaueint grant mal*, says Sir Thomas Gray.[90]

On July 12, 1328,[91] little David, aged five, married Joanna, a virgin in her seventh year,[92] at Berwick, amid rejoicings. We may conceive that there was no ill-feeling between the warriors who met, and fought their battles o'er again. They were of similar blood, Norman and English; often they were united by kinship; and war, to the knights, was both a business and a sport. We have seen the illustrious king only when engaged in the intrigues of his early, or the adventures and battles of his later, life. In peace, or rather in the intervals of fighting, it is certain that the courteous knight who risked an army rather than desert a poor laundress in her hour of need, the lover of romances of chivalry, the narrator who could tell of other deeds than his own,—was very dear to ladies. The Countess of Buchan is reported not to have been moved by mere patriotism when she represented the House of Macduff at the coronation, and the records leave no doubt about other affections. But no gossip of the court has reached us.

The Bruce of peace is found busy with castle-building and ship-building on the west coast. As his MS. charters prove, he had a care for his navy. Thus, in 1325, in his charter giving the Isle of Man to Randolph, he stipulates for service of six galleys of four-and-twenty oars. In a charter giving Eigg and Rum to Roderick MacAlan, a ship of twenty-six oars with men and supplies is demanded. Duncan Campbell is to provide galleys of twenty-two and eighteen oars. In 1315, after Bannockburn, Bruce had revisited the hills and sounds where he had run the gauntlet of the gillies of Lorne and the cruisers of Menteith. Lorne was now an exile in Edward's service, Menteith had been admitted to the favour of the Scottish king; but Bruce's faithful friend of Clan Donald, Angus Og, was Lord of the Isles. The king, however, thought it wise, in 1325-26, to erect a strong castle at Tarbet, the line of land which prevents Kintyre from being actually insular.

Bruce, in the feeble health of his later days, lived at Cardross, on the Clyde, and the Constable's accounts give the sums paid for

mason's work, for glass to the windows, for painting the chambers, for the falcons used in hawking, for bringing a court jester, named Patrick, out of England, for salmon, lampreys, wine, and other supplies. "The king's great ship" often occurs in the accounts, and Robert probably yachted in the beautiful Firth of Clyde. Like Edward II., when Prince of Wales, the king kept a lion, naturally in a cage: the cage cost £1, 3s. As Bruce had a goldsmith's *atelier* erected at Tarbet Castle, it is probable that he, like his unhappy descendant James III. of Scotland, interested himself in the finer crafts. There are entries for gardeners' wages, and possibly the old king declined on horticulture. So simple was life that fragrant birchen boughs were strewn on the floors of the chambers when Douglas and the Bishop of St Andrews came to view the buildings at Tarbet, but probably the place was not yet ready to accommodate guests of rank. Such are the details of daily life that survive from the early old age of the great king.[93] His relations to the noblesse have been discernible throughout all his history. To his friends he was generous; his foes he did not commonly trust. The blood-feud with the Comyns of course alienated them; they were deprived of their lands, like the Macdoualls, and the son of John Balliol. The Umfravilles, Atholl, Soulis, Percy, Wake, and many others, forfeited their Scottish estates. By these forfeitures, property accrued to Randolph, with his earldom of Moray, to Douglas, Angus Og, Sir Nial Campbell (who married Mary Bruce), Sir Christopher Seton, Sir Andrew Murray (son of Wallace's comrade, and later Regent), the Hays, the Steward, Sinclairs, Gordons, Flemings, Scrymgeours, and other houses. The coming reign, or rather the coming anarchy, after Bruce's decease, was due to the deaths of Douglas and Randolph, and the invasion of disinherited lords, under Edward Balliol.

The cares of Bruce were ending. He died, just before completing his fifty-fifth year, on June 7, 1329. His body was buried at Dunfermline, under a marble tomb, brought from Paris. The frenzy of the Reformation treated Robert's grave exactly as the frenzy of Huguenotism and of Revolution, in France, handled the statue and the relics of Jeanne d'Arc. The beautiful relics of the heroic age in Dunfermline were razed by godly hands in 1560; in 1821, excavations revealed what only a wilful scepticism can well doubt to have been the ashes of Bruce, the Maker of the Nation.[94] The Reformers, in this case, of course, were Protestant (now Bruce

had been a Papist), but probably had English sympathies. Yet it is unlikely that they thought at all of Bruce: they destroyed, after the manner of their kind, for love of plunder and of ruin.

The career of Bruce is bisected by the slaying of Comyn. Before that deed, he is unscrupulously and perfidiously self-seeking, nor are great traits of excellence in any kind recorded of his youth. After the deed in the Grey Friars' Church, Bruce displays unflinching resolution, consummate generalship, brilliant courage, perfect courtesy, consideration, reading, humour, and wisdom. Patriotism, new-born in his time, was then, in a great degree, attachment to such a king, as well as to country.

Froissart narrates, in his own charming manner, how the dying Bruce told Douglas of his vow to fight in the wars of the Lord, if ever he had peace at home. But age and death are upon him, and he bids Douglas carry his heart, after his decease, and lay it in the Holy Sepulchre. Douglas set forth, but, hearing of war between Alonzo of Castile and the Moors of Grenada, took part with the Christians, was surrounded by the Paynim ranks, and cast the heart of Bruce into the midst of them,—"Go first, as thou wert wont to go!" Douglas fell; but the heart was rescued and brought home to Melrose Abbey, where it was buried, by Lockhart of the Lee. The heart now stands in the shield of Douglas, and, with a fetterlock, in that of Lockhart (whose name is originally territorial, de Loch Ard). Such is the legend, true in essentials; but a Papal bull, permitting the excision of the royal heart, avers that it is to be carried, not to the Holy Sepulchre, but into battle with the Saracens.[95] According to Charles Stuart, Comte d'Albanie (son of the enigmatic Charles Edward Sobieski Stuart), when he was serving in Spain with the Carlists, he was shown a rock to which the living tradition of the death of Douglas is still attached.[96] From this gallant Douglas came the power of the Douglas family, which first appears as potent in his father's time. Its origin is disputed; the name itself, of course, is territorial. The great, turbulent, daring, and too often treacherous House left the deepest marks in the history of troubles yet to come.

The civil effects of the reign of Bruce, so glorious in its military aspect, are comparatively obscure. Parliament, we have seen, presented grievances, and made a limited grant (1326). The incessant wars, offering an opportunity to pirates, closed the ports, and Berwick, the chief commercial emporium, struggled with adverse

Comyn, Gloucester, Clifford, Harcourt, Courtenay, and seven hundred other gentlemen of coat-armour were slain.[67] Hereford, (later) with Angus, Umfraville, and Sir Thomas Grey were among the prisoners. Stirling, of course, surrendered.

The sun of Midsummer Day set on men wounded and weary, but victorious and free. The task of Wallace was accomplished. To many of the combatants not the least agreeable result of Bannockburn was the unprecedented abundance of booty. When campaigning Edward denied himself nothing. His wardrobe and arms; his enormous and, apparently, well-supplied array of food-waggons; his ecclesiastical vestments for the celebration of victory; his plate; his siege-artillery; his military chests, with all the jewellery of his young minion knights, fell into the hands of the Scots. Down to Queen Mary's reign we read, in inventories, about costly vestments, "from the fight at Bannockburn." In Scotland it rained ransoms. The 'Rotuli Scotiæ,' in 1314 full of Edward's preparation for war, in 1315 are rich in safe-conducts for men going into Scotland to redeem prisoners. One of these, the brave Sir Marmaduke Twenge, renowned at Stirling Bridge, hid in the woods on Midsummer's Night, and surrendered to Bruce next day. The king gave him gifts, and set him free unransomed. Indeed, the clemency of Bruce after his success is courteously acknowledged by the English chroniclers.[68]

This victory was due to Edward's incompetence, as well as to the excellent dispositions and indomitable courage of Bruce, and to "the intolerable axes" of his men. No measures had been taken by Edward to secure a retreat. Only one rally, at "the Bloody Fauld," is reported. The English fought wildly, their measures being laid on the strength of a confidence which, after the skirmishes of Sunday, June 23, they no longer entertained. They suffered what, at Agincourt, Creçy, Poictiers, and Verneuil, their descendants were to inflict. Horses and banners, gay armour and chivalric trappings, were set at nought by the sperthes and spears of infantry acting on favourable ground. From the dust and reek of that burning day of June, Scotland emerged a people, firm in a glorious memory. Out of weakness she was made strong, being strangely led through paths of little promise since the day when Bruce's dagger-stroke at Dumfries closed from him the path of returning.

Everything now went well with Bruce. Stirling Castle he dismantled; Hereford, who had taken refuge with Hamilton in Bothwell

threatened to burn out the justices, drove them from the country, and had the still breathing Comyn deliberately butchered on the steps of the high altar! The English versions aim at blackening Bruce; the late Scottish versions, written seventy or eighty years after the event, aim at blackening Comyn. Against him, as we must reject the story of his betrayal of Bruce to Edward, we know nothing. His career had been infinitely more reputable than that of his murderer. Mr Tytler, by a curious error, says that Comyn tried to make Edward suspicious of Bruce, and cites Hemingburgh. But Hemingburgh only says that Bruce accused Comyn of this conduct. Tytler, i. 86 (1864).

[14] English writers, like Matthew of Westminster and the journalist who writes a parody of the Vulgate, make the Countess Bruce's leman.

[15] March 27.

[16] See the tantalising memoranda as to the man "who brought the news about Bruce," about search for papers at Lochmaben, &c. (Palgrave, p. 294).

[17] Flor. Hist., iii. 131.

[18] Chron. Lan., pp. 203, 204.

[19] Chron. Lan., p. 204.

[20] Bain, ii. 485-487.

[21] Palgrave, pp. 323-325.

[22] Hemingburgh, ii. 250; Flor. Hist., iii. 130.

[23] For slaying the king of the May, see Mr J. G. Frazer's 'Golden Bough.'

[24] Palgrave, pp. clxxxix and 358. The English chroniclers, Rishanger and Matthew of Westminster, are responsible for the story of the exposure of the Countess *outside* the wall. *Huches* were arranged *inside* rooms of castles; see several examples in 'Les Miracles de Madame Sainte Katherine de Fierbois,' during the Hundred Years' War. Mr Burton thinks that a cage "is rather anomalous within the tower of a castle." Thus, however, were *huches*, in fact, constructed. The author is informed that a *huche* is preserved at Canterbury.

[25] This Angus Og was brother of Alexander of Isla, then a partisan of England. See Appendix C.

[26] Sir William Fraser, in the Book of Menteith (i. 451), makes no allusion to those feats of the hero.

[27] Bain, ii. 491.

[28] The date, in the letter to Menteith, makes against Barbour's theory that Bruce was on the hills in *winter*. But there may be very rough weather in September, between Loch Awe and Loch Lomond. Bruce presently left Dunaverty for Rachrin, an islet off the Irish coast, and on January 29, 1307, we find Menteith still hunting for him. Bain, ii. 502, 503.

[29] For a possible visit to Norway, see Bain, ii. xlix, note.

[30] Sir Herbert Maxwell, with more of practical sense than poetry, suggests that the "muir-burn," or heather-burning, caused the blaze. But if heather-burning was then, as now, the practice, Bruce would have known that. Joseph Tain told Scott (on whatever authority) that the practice of muir-burning "was then unknown." See "Lord of the Isles," canto v. note vi. The scene of the fire is the Bogle's Brae. Similar mystic lights are not unfrequent in the burial isle of the Macdonalds, opposite Ballachulish.

[31] Hemingburgh, ii. 251.

[32] Bain, ii. 509.

[33] Sir Herbert Maxwell's narrative here is picturesque, but the facts as given by him more vaguely occur in Barbour. They are vouched for by local tradition, which makes Bruce charge down the side of Lamachan, and take the English in a narrow path above a precipice overhanging Loch Trool.

[34] Bain, ii. 513.

[35] Bain, ii. 526.

[36] Rymer, Fœdera, vol. i. pt. ii. 1018. [37] Hemingburgh, ii. 265.

[38] For disputed dates see Bain, iii. xii, and his Note 2.

[39] Tytler, citing Statistical Report, xi. 420.

[40] "True Thomas lay on Huntley bank,
He spied a *ferly* with his ee."

[41] J. R. Green, History of the English People, i. 375.

[42] Maxwell, Robert Bruce, p. 152. For documentary evidence of Randolph's return to Bruce's party, and of the utter collapse of the Macdowals (1309), see Bain, iii. xiii. The dates of the war in Argyll are discussed on p. xiv.

[43] Bain, iii. xiii-xv, 16. This, of course, was not a victory over Clan Diarmid. Sir Nial Campbell was of Bruce's party, and Lorne was then a Macdouall or Macdougal, not a Campbell possession. The graves of men slain, perhaps in this fight, are crowded on the left bank of Awe, just above the bridge.

[44] Bain, iii. 18, 19. [45] Hemingburgh, ii. 294.

[46] Lan. Chron., p. 221. The chronicler cites St Augustine and St Ambrose for the geese of the Capitol.

[47] Fordun ap. Hearne, p. 1006; Bain, iii. xviii.

[48] The Lanercost Chronicle says that the best burgesses were slain, the English garrison spared, and Oliphant was sent bound to the Isles. This last is an error. Bain, iii. xviii; Chron. Lan., pp. 221, 222.

[49] Bain, iii. xviii. [50] Bain, iii. xix. [51] Chron. Lan., p. 223.

[52] Mr Hume Brown says that Edward Bruce was pressing Stirling hard "in the November of 1313" (p. 157). Mr Bain, following Barbour, says "from Lent to Midsummer 1313."

[53] Mr Oman reckons 50,000 as near the mark for Edward's whole army, 10,000 being cavalry—'Art of War,' p. 573.

[54] Barbour's estimate is, no doubt, exaggerated. But the Lanercost chronicler calls the expedition "very great and splendid." The author of 'Vita Edwardi' declares that Lancaster, Warenne, Warwick, and Arundel sent their retainers, if they declined to march themselves. Geoffrey le Baker insists on the numbers and magnificence of the array. Mr Bain reckons the English force at not less than 50,000. Bain, iii. xxi.

[55] Lochans, or pools, to the east, are marked on maps of the last century. Oman, p. 571.

[56] Mr Oman makes Bruce cover his whole line with these "pottes."

[57] Scalacronica, p. 141. [58] Scalacronica, p. 141.

[59] Barbour, bk. xi. l. 615. Quintus Smyrnæus.

[60] Peris de Mountforth, according to Gray in 'Scalacronica,' p. 141. Is he "Peres de Mounz"? Stevenson, ii. 267-269.

[61] Barbour is quoted for "I have broken my good battle-axe," but the phrase is not in Barbour.

[62] Vita Edwardi. [63] Scalacronica, p. 142.

[64] Probably as knights-banneret, like Barisdale at Prestonpans on the field of fight.

[65] Baker places the archers in the second line, whence they were apt to hit their friends in the back. He says that they were ordered to aim high, a dropping fire, over the heads of their countrymen. But probably other archers were *en potence*, at right angles to the main English force, and these Keith could take in flank. They would be "on the slopes of Greystale," commanding the Scottish right. If Edward had 30,000 archers, as Mr Oman thinks, he had plenty to spare.

[66] Barbour. Scalacronica, p. 143. [67] Barbour.

[68] The account of Bannockburn here given follows Barbour and the 'Scalacronica,' and is confirmed by the 'Lanercost Chronicle.' There are difficulties of detail. Grey makes Bruce deal his axe-stroke *before* Randolph's fight, and, in place of Bohun, names Peris de Mountforth. The handling of the archers, as has been shown, varies in different authorities. Sir Herbert Maxwell's views, based on local knowledge and on papers by Sir Evelyn Wood, have usually been followed. The author has also twice visited the ground. Unluckily, there is hardly a statement as to details made in one version which another version does not explicitly or implicitly contradict. The Lanercost chronicler (who had consulted an eyewitness) makes fighting open with "an artillery duel," the bowmen loosing their shafts on either side. One English chronicler represents their party as fatigued and half-starved and in expectation of a night surprise ('Vita Edwardi'); another, Baker, says that they passed the night before the decisive day in revelry, with cries of "Wassayl! Drinkhail!" About the pits with which Bruce is said by Barbour to have honeycombed the plain there are most contradictory statements. That he did make pits, however, is generally agreed, and is attested by Baston, a captured English Carmelite poet—

"Machina plena malis pedibus formatur equinis."

Baker, who had a taste for war, places the English archers in the second line; Walsingham in the first. There is no reconciling the accounts of Gloucester's death. All agree that the Scots fought on foot, in *schiltrons*, or clumps of spears, and that they steadily preserved their formations, not rushing from their lines. The Lanercost chronicler speaks of the sea-tide rushing up the Bannock burn and drowning the English!

[69] Rotuli Scotiæ, i. 152, 153; Bain, iii. xxi-xxiii.

[70] Acts of Scot. Parl., ed. Record Commission, i. 104.

[71] See Robertson's 'Index of Charters' (1797), most of the charters being lost. These noted in the Index bestow, on various adherents of Bruce, lands which had belonged to Ingram de Gynes, to Nicholas Moyses, to John Comyn, to John Weston, to Edward de Gourlay, to William Charteris, to John Balliol, to James Torthorwald, to John of the Isles, to Henry Percy, to Ingram de Umfraville, and so on. See Appendix E, "Bruce's Charters."

[72] See details of these forays in Bain, iii. xxiv.

[73] Fœdera, ed. Record Commission, vol. ii. pt. i. p. 317.

[74] Fœdera, vol. ii. pt. i. p. 340; vol. ii. pt. i. p. 351.

[75] Berwick town fell on March 28, 1318; the castle about July 20. As early as February there were dangerous disputes between the garrison and the burgesses, one of whom betrayed the town. Bain, iii. 112.

[76] Hailes, Annals, ii. 97.

[77] Fœdera, vol. ii. pt. i. p. 388.

[78] This is expressed much more strongly in the original than in Lord Hailes's paraphrase.

[79] Scalacronica, p. 144. This Murdoch was Earl of Menteith. He received forfeited lands of Soulis. See Fraser, Book of Menteith, i. 97; and Stevenson, Illustrations of Scottish History, i. 9, 10; Bain, iii. xxvii, 136. It is interesting to note that Bruce conferred some of Mowbray's lands on Nicholas Scrymgeour, the standard-bearer. His house was of singular loyalty, and Alexander Scrymgeour was one of the gentlemen hanged in 1306 by Edward I. (Bruce's Charters in MSS. of Earl of Haddington, Advocates' Library).

[80] Scalacronica, pp. 149, 150.

[81] Scalacronica says that the Islesmen were present.

[82] Lanercost, p. 248, Bruce's Charter to William Blount; Haddington MSS. 1325; Bain, iii. 148, Covenant between Bruce and Hartela.

[83] Bain, iii. xxxii and 150.

[84] They had already set the burgh seals to King John's negotiations with France in 1296. Bruce, in the least constitutional way, made grants of royal burghs—Cromarty, Elgin, Forrès, and Nairn—to Hugh de Ross and Randolph. Under Bruce's son Parliament declared such transactions illegal. Innes, Lectures, pp. 116, 117.

[85] Innes, Sketches, p. 216; Act. Parl. Scot., i. 9, 115.

[86] Bain, iii. xxxiv, 167, 217.

[87] Tytler, i. 182 (i. 156, 1864). Some quite recent English historians have tried feebly to throw doubt on the authenticity of this treaty. Exchequer Rolls, i. ciii.

[88] Lanercost, p. 261.

[89] Hailes, ii. 142, Note.

[90] The treaty, attributed to the queen-mother and her paramour Mortimer, was most unpopular in England where it was known, for it seems not to have been generally promulgated (Tytler).

[91] Bain, iii. xxxv. Cf. Fordun a Hearne, 1016.

[92] Tytler, i. 183.

[93] Exchequer Rolls, i. cxx *et seq.*

[94] Unluckily the local humourist seems to have added apocryphal relics—a hanging crime, to Joseph Ritson's mind.

[95] Theiner, Monumenta Vetera, p. 251.

[96] Bain, iii. xxxvii.

CHAPTER IX.

REACTION.

"He enlargeth a nation, and straiteneth it again." In the reign of David, crowned at Scone on November 24, 1331, Scotland was not much more fortunate than England had been under Edward II. Long minorities were the sorrow of Scotland: this minority coincided with the sway of an energetic prince in England, and with the explosion of such internal discontents as revolution produces. The period is one from which patriotism averts its glance. In place of a united resistance to a powerful neighbour, we have to observe a mass of selfish intrigues, redeemed by gallant persistence on the part of a few nobles, and of the people. The policy of the Tudors, rather than that of Edward I., ruled the counsels of Edward III. In the forfeited lords, whom Robert Bruce had dispossessed, the English king found instruments ready to his hand. These nobles played the part of Angus and the Douglases under Henry VIII., though with a better excuse, for, by blood and inheritance, they were at least as much English as Scottish.

David II. was not only crowned but *anointed*. There exists a letter of Pope John XXII. to Robert Bruce, in which he grants this privilege, insists on its mystical efficacy, as manifested when the spirit of the Lord came upon the newly anointed Saul,—and exacts a double recompense for his grant of the grace of oil.[1] Twelve thousand gold florins were paid to the Pope, apparently for this grace.[2]

The infant king's coronation oath contains a vow "to extirpate all heretics with all his might."[3] The erroneousness of the popular idea that Presbyterians or Covenanters "suffered for freedom of conscience" is demonstrated by the fact that these men later clung fondly to a similar oath. Only *they* were now "The Trew Kirk of

God"—all other Christians were heretics.[4] This anointing seems to have introduced an unhappy element in Scottish history. Randolph, since Bruce's death, had acted as Regent with great vigour, perhaps even with brutality if we can accept late accounts of his conduct, but age and disease were beginning to approach him. In these days men grew old early. Ghosts of ancient questions were now arising to perturb Scotland. In 1330, Edward Balliol came to the English court, whence he was to act as that inveterate plague, a Pretender. On the last day but one of the year 1330, Edward III. demanded from David the restitution of the Scottish lands of Wake, Lord of Liddel, and Beaumont, Earl of Buchan. These estates, with Percy's, were to have been restored by a provision of the Treaty of Northampton, but Percy alone had been reinducted.

David, or rather the Regent, now made delays: on April 22,[5] 1332, Edward again urged the perfectly just claims of his lords, and, by August 9, 1332, we find Edward appointing Percy to keep the Border peace, as he hears that Beaumont and other disinherited knights are about to take the law into their own hands. The contemporary Lanercost chronicler avers that they had an understanding with the king.[6] This is probable: in any case they had already evaded an actual crossing of the marches, by sailing from Ravenspur for the North, which Edward knew.

His conduct is singular. The claim of the disinherited knights was acknowledged by the Treaty of Northampton. Highly disadvantageous to Scotland it was, putting Wake, for example, in possession of the passes of Liddesdale. But a treaty is a treaty, and no one could have blamed Edward for enforcing it. He acted a less straightforward part, when he invited, or admitted, the disinherited claimant of the Scottish crown to his court. He winked at a raid, instead of enforcing a claim openly, and bade Percy keep the peace of the marches, when Atholl, Beaumont, Edward Balliol, and their men were landing in Fifeshire. Unhappily Randolph had died suddenly at Musselburgh, on July 20, 1332: there were suspicions of poison, attributed by late legend to an English priest, but sudden or opportune deaths were always set down to poison.[7] The new Regent, a nephew of Robert Bruce, a sister's son, had, according to the Lanercost Chronicler, been an instigator of Edward Balliol, though now an opponent of his claims.[8] He bore the unlucky title of Mar. A nephew of Bruce, he had long resided in

England, and proved exactly as valuable to his country as Bobbing John was to do, the Mar of 1715.

To oppose Balliol, Mar was encamped on the north side of Earn, near Dupplin: March was advancing to his aid from the south. Balliol, after a successful skirmish on landing, and a success in seizing Scottish supplies and arms at Dunfermline, lay on the south side of the Earn, at Forteviot, and, by all accounts, had but a comparatively small force—some 2000 men—with an adequate array of archers. Balliol's position seemed desperate, and his victory was so astonishing that chroniclers of both parties tell of "miracles," and of "the vengeance of heaven." Now, at last, the belated curses on Bruce came home, says the Lanercost writer. Mar, according to Sir Thomas Gray in 'Scalacronica,' occupied in great force an eminence on the north side of the Earn. The disinherited lords were so discouraged, that they begged Beaumont to retreat, deeming it impossible to cut their way through to Perth, which was their aim. Beaumont replied that they were in their right, that none knew the counsels of God, and that chivalry forbade them to retire. They therefore determined to cross the ford at night, and to attack the hill occupied by Mar from the rear. An English writer avers that traitor Scots had pointed out the ford, and blame was later cast on Murray of Tullibardine.[9] The Scots kept no watch, despising their foes, and singing some rude refrain about the tails of the English, *Angli caudati*, an old scorn.[10] This surprise appears to have been only partial, for at daybreak, first a charge was led by young Randolph, and then the mass of the Scots came on, eager, but disorderly, attacking the English uphill. The bulk of the Scots confused their own advanced party, but at the first shock the English were borne back, till Stafford cried, "Turn your shoulders, not your breasts, to the spears."[11] The arrows of the English archers now fell in a hail literally blinding.[12] The archers were extended, for the first time it seems, so as to envelop the flanks of the Scots, blinding them with a snow of shafts, and "rolling them up in one hopeless mass."[13] The heap of slain men was higher than the length of a lance: "in one little hour you might see arise a hill of dead bodies."[14] We can imagine a ponderous undisciplined rush, men massed in a seething crowd, the arrows laying them low before they came to hand strokes,—such was the fortune of war with Bruce dead, and Randolph. Such it was to be when Tineman led a rehearsal, again and again, of the Dervish charge at

Comyn, Gloucester, Clifford, Harcourt, Courtenay, and seven hundred other gentlemen of coat-armour were slain.[67] Hereford, (later) with Angus, Umfraville, and Sir Thomas Grey were among the prisoners. Stirling, of course, surrendered.

The sun of Midsummer Day set on men wounded and weary, but victorious and free. The task of Wallace was accomplished. To many of the combatants not the least agreeable result of Bannockburn was the unprecedented abundance of booty. When campaigning Edward denied himself nothing. His wardrobe and arms; his enormous and, apparently, well-supplied array of food-waggons; his ecclesiastical vestments for the celebration of victory; his plate; his siege-artillery; his military chests, with all the jewellery of his young minion knights, fell into the hands of the Scots. Down to Queen Mary's reign we read, in inventories, about costly vestments, "from the fight at Bannockburn." In Scotland it rained ransoms. The 'Rotuli Scotiæ,' in 1314 full of Edward's preparation for war, in 1315 are rich in safe-conducts for men going into Scotland to redeem prisoners. One of these, the brave Sir Marmaduke Twenge, renowned at Stirling Bridge, hid in the woods on Midsummer's Night, and surrendered to Bruce next day. The king gave him gifts, and set him free unransomed. Indeed, the clemency of Bruce after his success is courteously acknowledged by the English chroniclers.[68]

This victory was due to Edward's incompetence, as well as to the excellent dispositions and indomitable courage of Bruce, and to "the intolerable axes" of his men. No measures had been taken by Edward to secure a retreat. Only one rally, at "the Bloody Fauld," is reported. The English fought wildly, their measures being laid on the strength of a confidence which, after the skirmishes of Sunday, June 23, they no longer entertained. They suffered what, at Agincourt, Creçy, Poictiers, and Verneuil, their descendants were to inflict. Horses and banners, gay armour and chivalric trappings, were set at nought by the sperthes and spears of infantry acting on favourable ground. From the dust and reek of that burning day of June, Scotland emerged a people, firm in a glorious memory. Out of weakness she was made strong, being strangely led through paths of little promise since the day when Bruce's dagger-stroke at Dumfries closed from him the path of returning.

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III. summoned his levies to Newcastle (March 21, 1333). Archibald Douglas, brother of Bruce's Douglas, ravaged Gillsland: this Douglas is "Tineman," famous in legend and song, though the name is often given to Archibald, fourth earl, much later. Sir William Douglas, "the Knight of Liddesdale," *not* the bastard, as is erroneously said, of the Good Sir James, was, however, taken in resisting an English raid, and was imprisoned for two years.[19] Archibald Douglas, Tineman the Unlucky, was now Guardian of the realm, whose young king was conveyed (at what date is disputed) for safety to France. Edward III. seized the Isle of Man and threatened Berwick in May. Berwick had been ceded to Edward by Balliol in the Treaty of Roxburgh, but the usurper had not the power to hand over this important commercial city. Berwick was now much stronger than it had been in the days when a man below the walls could spear an enemy above them. The two Edwards, in May, began the leaguer of the place. Sir Alexander Seton commanded in the town with all the loyalty of his house; but the castle had been intrusted to the fickle Earl of March, unequally wedded with the famous daughter of Randolph, Black Agnes of Dunbar. The details of the siege are confusing. It is admitted that the Scots made a bold resistance. At last, however, they agreed, just as Mowbray had done at Stirling, to surrender if not relieved by a given day. To this effect Thomas Seton, son of the commander of the town, was handed over as a hostage with others. The arrangement was all in favour of England. To bring the Scots to fight in open field, where England had the advantage in cavalry and archery, was ever their aim. The Scots, on the other hand, knew very well, were it but from the rhyming Latin lines of "Good King Robert's Testament," that their strength lay in a guerilla warfare waged from the recesses of the hills against an army which, in the devastated plains, could obtain no supplies.[20] It was thus the Scots policy to lose Berwick rather than risk another Bannockburn under the walls. But such a policy is with difficulty maintained by impetuous and high-hearted men.

If we follow Sir Thomas Gray, who understood war, a vast army of Scots came to the relief of Berwick, crossed Tweed in view of the English host at the Yare ford, threw men and provisions into the town, and then began to burn and pillage Northumberland under Archibald Douglas. They had executed what

they considered a technical relief, had freed Berwick from her promise to surrender, and were now attempting to divert Edward by destroying the country behind him. Edward III. did not take this view of the legal situation. Berwick, he argued, had not been relieved, and he summoned it to surrender, the time of respite being expired. The Scots argued that supplies and men under William Keith had been brought in, and that Berwick was in fact relieved. Edward replied by hanging a hostage, Thomas Seton, on a gibbet within view of the town and under his father's eyes. Horrified by this act, the parents of the other hostages made new conditions. They would yield if two hundred men were not thrown into the town within a fortnight. Keith, Prendergast, and Grey were given safe-conducts to seek Douglas and bring his army to relieve Berwick. Archibald Douglas listened to their prayer and returned. The result (July 19) was the terrible defeat of Halidon Hill. The Scot still feels a certain pride as he passes Bannockburn. The Englishman as he fares north through Berwick probably does not reflect that on the high ground to the left Bannockburn was avenged. Between the heights occupied by the two armies lay a marshy hollow. The Scots were obliged to descend a long slope and wade the marsh, and then they had to climb a steep hill, all under the fire of the English archers.

As at Bannockburn, there was a first victim: a huge Scot, named Turnbull, with a big black dog, challenged any Southern. He and his hound were slain by a knight of Norfolk, Robert de Venale.[21] We know the names of many leaders on the patriotic side: it is a roll of honour. In the first line was John, Earl of Moray, son of Randolph; James and Simon Frazer; Walter Stewart; Ranald Cheyne; with Grants, Gardynes, Gordons, Meldrums, Boyds. In the second line were the Steward of Scotland; Fleming; William Douglas; Duncan Campbell of Lochawe, Lindsay, and Keith the Marischal. The third line was headed by Archibald Douglas, with the Earl of Carrick. The fourth line was composed of the Highland levies of Ross, Strathearn, and Sutherland. It seems probable that the archers on the English flanks literally blinded the Scots, who, charging uphill, with heads turned aside, chiefly anxious to slay Edward Balliol, were rolled up into one mass, without keeping their divisions.[22] The English, who had fought on foot, then mounted and pursued, causing great slaughter with their maces.[23] The Earls of Lennox, Ross, Sutherland, and

Menteith fell; old Lennox had been of Bruce's earliest allies. The Scottish Earl of Atholl (John Campbell) lost his life, with the Frazers, Graham, Lindsay, Allan Stewart, William Douglas (son of the good Lord James), and Tineman himself.[24] Randolph escaped to France, the Steward to Bute (July 19, 1333).

Berwick, of course, surrendered, and was practically for ever lost to Scotland. Lord March, the governor, "not much devoted to either side," was taken into the favour of Edward III. Balliol transported Scottish preachers to England, and brought English preachers into Scotland. Men thought that the Scottish war was ended; the Scots were broken and leaderless. But while Randolph lived, while the young Steward was safe, the cause of Scotland was not lost. A few castles stood out: Bruce's sister Christian held Kildrummie; Malcolm Fleming secured Dumbarton; Vypont lay in Lochleven Castle; and John Thomson kept the peel of Lochdown in Carrick: this chief had served with Edward Bruce in Ireland. Later (May 1334) King David was carried to France. Balliol now intended to hold a Parliament in Scotland, and we find Edward III. telling the (English) Earl of Atholl that Henry Percy, Ralph Neville, and others are to attend it.[25] England desired the ratification of the promises which Balliol had made, as we saw, at Roxburgh. This was granted by Balliol, in a Parliament held at Edinburgh (12th February 1333-34). The "disgraceful proceedings" (as Lord Hailes calls them) of this convention go on the lines of the promises made at Roxburgh.[26] Edward Balliol acknowledged fealty and subjection to his English namesake, and surrendered Berwick as an inalienable possession of the English crown. Among the bishops present at this Parliament were Glasgow, Aberdeen, Galloway, Ross, Dunblane, Brechin, and the once warlike William Sinclair of Dunkeld, who had rallied a Scottish and routed an English force in Bruce's day. Among the barons were the lately disinherited, but now triumphant, Beaumont, Earl of Buchan; the (English) Earl of Atholl; Talbot, Earl of Mar, one of Edward Balliol's early allies; Alexander de Seton; Alexander de Mowbray; William de Keith; and the lately converted Dunbar, Earl of March, who had held Berwick against Edward III. There was much turning of coats. "The king's own bishop," William Sinclair, is hardly more notorious than the Bishop of Dunblane, who as Abbot of Inchafray marched barefoot, crucifix in hand, along the Scottish ranks before Bannockburn. Where, now, was

the spirit of those who, but a few years ago, would fight for freedom while a hundred Scots were left on ground? Edward III. held Balliol tightly in hand. We find him warning the Scottish king to keep, in prosperity, the promises made in adversity, and to give to Warenne the forfeited lands of the Earl of Strathearn.[27] At Newcastle, on June 12, 1334, Balliol surrendered to the English crown the forests of Jedburgh, Selkirk, Ettrick, with the counties of Roxburgh, Peebles, Edinburgh, and Dumfries, Linlithgow, Haddington, and their burghs and castles.[28] The usual "disinherited earls," Wake, Beaumont, Atholl, Talbot (Mar), with March, sign this humiliating document. Edward appointed officials in his new domain, but preserved the laws of Scotland. Balliol did homage for the whole of Scotland (at Newcastle, June 18, 1334), and it seemed as if, by a turn of Fortune's wheel as miraculous as that which carried Bruce to triumph, Scotland was finally laid at England's feet.

Happily for Scotland, Balliol's disinherited allies now quarrelled with him, and among themselves. Alexander de Mowbray claimed his late brother's succession, to the prejudice of the heiresses, his nieces. Balliol granted him the estates, but Beaumont (Buchan), Talbot, and the English Earl of Atholl, all connected with the Comyns, sided with the ladies. Sir Andrew Murray had returned from English captivity: Balliol was thus between angry allies and the national Scottish party. To conciliate his allies he dispossessed Mowbray, and gave to Atholl the lands of the forfeited Steward of Scotland. Mowbray, thus in turn alienated, openly joined Sir Andrew Murray, and the pair besieged and captured Beaumont, whom they sent into England.[29] Talbot also was made prisoner. The Steward ceased to skulk in Bute, where he had lain since Halidon Hill, and threw himself into Dumbarton Castle. Thence he brought his Renfrew retainers over to the national cause, aided as he was by Campbell of Loch Awe. Randolph's son, Earl of Moray, who had been a refugee in France since Halidon Hill, returned, and, with the Steward, was recognised as Regent by the national party. The Steward, a lad of nineteen, was popular, and was heir to the crown; in Moray the fame of Randolph was revived. The Earl of Moray drove Atholl into the wilds of Lochaber; there he surrendered, and, forfeiting his English estates, joined the cause of Scotland. His motives are obscure; his excuse was "fear for his life."[30] He may have hoped to revive the claims of the Red Comyn, whose daughter was his mother. Meanwhile, the Knight of

Liddesdale had been ransomed from an English prison, and with the Earl of Moray and the Steward was in arms, while Macdowal of Galloway joined the national cause.[31]

The strength of Balliol's party had ever been the union, based on common interests, of Talbot, Beaumont, and Atholl. Now, one of these allies was hostile, and two, so to say, were cancelled. We might expect fortune to desert Balliol, and Scotland to recover herself under Randolph of Moray and the Steward. But the cross-work of rival interests only became more complex. It is too intricate for a statement at once brief and lucid, and the knot is not cut by a decisive stroke as at Bannockburn. There was no real end to the struggle with England, only a trailing war of partisans dragged on, mitigated, now and again, by truces, procured by French diplomacy. The general aspects and results may be summed up. Patriotism, national sentiment, among the conspicuous Scottish leaders, almost disappeared, though it survived in the hearts of the people. We have said that, even at the hour of the famous letter to the Pope, there was more of loyalty to a leader, Bruce,—to a concrete type of the country and the cause,—than to fatherland. Now, in 1334-35, and for many long years to follow, no such royal representative of the nation was before the eyes of men. Their private and fickle interests came into play, and chiefs, like Sir Eustace Maxwell, change sides perpetually, with or without visible reason. In later Scottish history we find certain great houses tolerably loyal for generations to a creed or a king: the Argylls always Whig; the Grahams usually, and the Oliphants invariably, Cavalier. But in this chaos of the fourteenth century, men and houses shift, like the shaken elements in a kaleidoscope. Sir Andrew Murray, the Randolphs, the House of Loch Awe, are national; but even the Douglases fail, and even the Steward's faith is shaken. Examples arise in the course of the narrative. On Atholl's adoption of the national party, or soon after, the Earl of March, a recent convert to the English side, went over again to the patriotic party with his famous wife, Randolph's daughter, heroic Black Agnes of Dunbar, and of the "fatal love-shafts." March's lands, in fact, were in the southern district ceded by Balliol to England.

Late as the season was (November 1334) when Balliol's party broke up, Edward III. overran southern Scotland, and Edward Balliol held Christmas royally, in Renfrew, the centre of the Steward's country. He was aided by William Bullock, an ecclesiastic

of military genius, who, again, was to desert him, it seems, with singular treachery. Alan de Vypont had kept, since Halidon Hill, Lochleven Castle till his English assailants raised the siege; and, in April 1335, the national party held a Parliament at the castle of Dairsie, near Cupar. On a high wooded bank above the Eden, and near one of the few churches built in a revived Gothic manner at the time of Laud, may be seen the ruined walls of this ancient fortress. Hither came Randolph, March, Sir Andrew Murray, the Knight of Liddesdale, and the Steward. Some of these men were soon to turn their coats, and Atholl, while he impressed the Steward too favourably, estranged Randolph and the Knight of Liddesdale by his arrogance.[32] Atholl may have cherished pretensions to the Crown: certainly nothing decisive was settled at the Parliament. In July 1335, Edward III., with Balliol, landed a huge force in the Forth, marched to Perth, and made a campaign of ravage in a land left desolate. There was a chivalrous action on the Borough Muir of Edinburgh, where March, Randolph, Sir Alexander Ramsay of Dalwolsey (a famous and unhappy partisan), with the Knight of Liddesdale, defeated a body of foreign lances, under the Count of Namur.[33] Later, Randolph was taken near the Border, while escorting his foreign prisoners, and for six years was lost to Scotland.[34] The English king and Balliol were now devastating the North,—"none but children in their games dared to call David Bruce their king,"—and despair, with Randolph's absence, caused Atholl to make a treaty with Edward III., in which he represents the Steward as taking part.[35] All Scots (with exceptions that were to be named) were admitted to the English peace; Atholl's English estates, which had been forfeited, were restored; and he was made governor of the country under Balliol. But the sister of the Bruce still held out in Kildrummie; Atholl besieged the castle; the gallant Sir Andrew Murray, with March and the Knight of Liddesdale, went to her rescue.[36] It was inspiriting to find, among those who had not bowed the knee to Balliol and to England, a Bruce, the brave châtelaine of Kildrummie, a Murray, the child of the hero of Stirling Bridge, and a Douglas, the Black Knight of Liddesdale. The knights gathered a true-hearted band in Lothian and the Merse, and marched to relieve the last strength of Scotland, the besieged castle of Bruce. They found Atholl in the forest of Kilblain, when they slew him under an oak—some authors say by surprise, some by

the desertion of his men. He perished fighting as bravely as he had lived ill (November 30, 1335).

Balliol assigned the wardship of his child, with vast lands, to John, Lord of the Isles; and the great western Celtic principality, whence Bruce had drawn his own division at Bannockburn, was now hostile to the national cause.[37] The patriots, at a Parliament in Dunfermline, recognised Andrew Murray as Regent. Brief and ill-kept truces ensued, and the usual summer campaign of Edward III. was evaded by Murray in the way recommended "in Good King Robert's Testament" (1336). Winter brought the Scots from their fastnesses; Edward's castles were, in some cases, taken: raids were pushed into England, and, despite a hideous famine, the Scots were supported by the near prospect of war between England and France.

Alarmed by the election of Andrew Murray, and the death of Atholl,—dreading, too, that France (whose crown he coveted) would aid Scotland,—Edward III. again invaded that unhappy country. He had sent his brother, John of Cornwall, to help Balliol at Perth, and there, says Sir Thomas Gray, the Earl of Cornwall *mortuit de bele mort*. Edward himself then arrived at Perth with the suddenness of a surprise. Thence he marched to the relief of the Countess of Atholl, besieged in Lochindorb Castle by Sir Andrew Moray. Here Fordun places an extraordinary tale, which is one of the many reasons for distrusting his authority even when, as is now the case, he is writing of his own times.[38] After speaking of the rescue of Lady Atholl, and Edward's harrying of Moray, Fordun brings Edward III. back to Perth, which he fortifies. At this time John of Cornwall ravages districts already in Edward's peace, and destroys churches. Edward rebukes him, John replies, and Edward slays him.[39]

On Edward's return to England, the Scots recovered certain castles, raided in England, and attempted, unsuccessfully, to take the Castle of Edinburgh. Edward was now engaged in another scheme of ambition. He had for some time been on unfriendly terms with France, and had sent an embassy to ask for the alliance of the Emperor. In October 1337, he formally published his claim to the French crown, through his mother, Isabella, sister of Charles IV. (died 1328), and daughter of Philip IV. But the crown had gone into the Valois line, and to Philip VI., son of Charles of Valois, son of Philip III. (died 1285). The Salic law, excluding women, was contrary to Edward's claim, hence the origin of the Hundred

Years' War. Thus both France and Scotland were united in resistance to English ambition. Though but seldom successful as allies, yet the two countries, by diverting English efforts at opportune moments, succeeded in securing their common freedom. Yet, by the tenacity of tradition, the exiled Stuarts still quartered the arms of France, as kings of England, even when James II. was supported in France by the generosity of Louis XIV.

The rupture with France, in October 1337, made the chances of Scotland seem less forlorn. At this juncture the Ancient League with France, so rich in heroic failures, was indeed the salvation of Scotland. But it was necessary to keep their communications with France open, and this was done by holding the castle of Dunbar against English forces under Salisbury. The commandant, Black Agnes, daughter of Bruce's Randolph, and wife of the fickle March, was equal to her task. The story goes that she stood on the battlements, contemptuously wiping away, with a napkin, the dust raised by the ponderous missiles of the English. A blockade ensued; but Sir Alexander Ramsay, who dwelt in the fastnesses of Hawthornden, sailed by night from the Rock of the Bass, and relieved the castle. Salisbury withdrew in June 1338, by Edward's orders.[40] The successes of Ramsay, here and on the Border, were matched by those of his future murderer, the Knight of Liddesdale. The death of Sir Andrew Murray left the Regency to the Steward, who, sending the Knight of Liddesdale for French aid, began the siege of Perth. This was Balliol's favourite seat; but Edward III., for some reason, summoned him to England, where we soon find him intrusted with the command of the North. Meanwhile William Bullock, Balliol's right-hand man, being bought by the Steward, through the Knight of Liddesdale, surrendered Cupar Castle, and carried his genius into the Scottish camp.[41] Liddesdale had brought French vessels which seized the English victualling ships on the Tay: he himself was wounded in the siege of Perth; but the tenacity of the Rev. William Bullock (says Wyntoun) despised the supernatural terrors of an eclipse of the sun, heartened the Scots, and secured the surrender of Perth. Mr Tytler dates the eclipse July 7, 1339. Fordun dates the surrender of Perth, August 17. Stirling also fell (between June 1441 and May 1442).[42] Edward III. was idly busy in France, and a truce gave a needful respite in 1340. In April 1341, Bullock devised (it is said) and Liddesdale executed an old romantic trick

of war. The portcullis of Edinburgh Castle was blocked by the waggons of pretended wine-merchants, Scots men-at-arms in disguise; the Knight then rushed in with a chosen band, and the Castle of the Maidens fell.[43]

A few weeks later,[44] David Bruce with his wife Joanna landed in Kincardineshire: Scotland had again a king, a lad of eighteen, with far more of romance than of conduct. His lack of sense soon displayed itself with tragic results. Ramsay of Dalwolsey had surprised Roxburgh Castle, on Easter morning (1342)—"at the very hour of the Resurrection," says Sir Thomas Gray; Fordun says at cock-crow on Easter Eve,—the same thing. Douglas had kept Palm Sunday no better, and Jeanne d'Arc, with all her piety, assaulted Paris on the day of Our Lady's Feast. But Gray is scandalised, and attributes the mischief that followed to the profanity of Ramsay. The king foolishly made him Sheriff of Teviotdale, superseding the Knight of Liddesdale, who held the office for good service in the district. Can the Knight have already been under suspicion? Liddesdale avenged himself on Ramsay, and began one of the regular feuds which were to devastate Scotland. He seized Ramsay on the bench, at Hawick, dragged him over the hills to Hermitage Castle, in Liddesdale, and there starved his gallant rival to death. It is said that corn, dropping from a granary, protracted Ramsay's life for many miserable days. Fordun's narrative avers "that he is said to have lived seventeen days without any bodily sustenance," and died, "fortified by the partaking of the Saving Host"—a strange story (p. clxii). Bullock, in like wise, on some suspicion, was seized by Sir David Barclay, and starved to death;[45] while Barclay was later assassinated, at the instigation of the Knight of Liddesdale, who had another feud against him. That ruffianly Flower of Chivalry was pardoned, and reinstated, for laws were torn up; authority was in abeyance; every man who had the power did what was right in his own eyes, and the welter of feudal anarchy had begun. Through centuries the history of Scotland is a tale of high-handed outrage and family feuds, and the recklessness sprung from the long lawless minority of Bruce's late-born son was perpetuated through the hapless minorities of the Stuart kings. The passionate pride and treachery of the nobles is stamped as deeply on Scottish as on Italian annals. It was through the aid of the Steward that the Knight of Liddesdale was reconciled to the king, and Lord Hailes moralises, "Thus was the first Douglas who set himself above the

law pardoned through the generous intercession of the Steward." Their houses were to prey on each other for a century.

Randolph, Earl of Moray, had some time before won his freedom through an exchange of prisoners: ineffectual raids and sieges followed; but a truce between France and England included Scotland, —it was to last from February 1343 till Michaelmas 1346. It is probable that a conspiracy to restore Balliol was now begun, and it is conceivable enough that Bullock was engaged in it with the Knight of Liddesdale, hence Bullock's arrest and death. Certainly, in 1343, the Knight of Liddesdale, now a reckless man, was treating secretly for an entry into Edward's peace, and was to be "secured in a reward." In the following year the Scots did not observe the truce, and Balliol was intrusted with the task of opposing them in northern England. Apparently Liddesdale was in treacherous relations with him, and it is conceivable that this had for some time been the private posture both of himself and Bullock.[46] That the Black Knight made a foray into England disproves no suspicion of this kind.[47] Like Ker of Kersland (1707), the Knight may have taken this step "for the sake of decorum," in Ker's remarkable phrase—namely, to keep up his credit in Scotland. The truce ended, and in October 1346, when Edward III. was besieging Calais, David invaded England. For this task he had made serious preparations. We have seen that Edward Balliol had purchased, as supporters of his claims, these "auld enemies of Scotland" the children of Somerled, the Celts of the West and the Isles. To John of the Isles Balliol had given the domains held by Angus Og, the comrade of Bruce, with the territories of the Steward. On David's return from France the Steward recovered his own, and much of John's land was given to Angus MacIan of Ardnamurchan, whose house frequently proved serviceable to the crown. But John of the Isles and Ranald Macdonald resisted eviction, and David, in the fervour of his desire to invade England, pardoned the two recalcitrant chiefs. John received the Lewis, Islay, Jura, Mull, Coll, Tiree, Morvern, Lochaber, Durar, and Glencoe; Ranald was confirmed in Uist, Barra, Egg, Rum, and Garmoran.[48] David's army was now reinforced by the Celts. But, near Perth, at the monastery of Elcho, Ranald was slain by the Earl of Ross. His sister, Euphemia, wife of John of the Isles, was his heiress, and John now claimed succession. But Ross, after murdering Ranald, withdrew his levies; the Islesmen, in

grief for Ranald, deserted; and David marched south without them. To judge by the Lanercost chronicler's tone, this invasion was a mere attack of wolves upon lambs. "The sons of iniquity spake among each other, saying, 'Go to, let us scatter the English, that their name may be lost,' and this seemed good in their eyes!" "These sons of Belial, the Scots, gathered to make war on the Lord's people," — the innocent English, who, having annexed southern Scotland, were now trying to get possession of France.

David, "being deceived of the Devil," gathered 2000 men-at-arms, 20,000 *Hobelers*, or armed townsmen, and 10,000 footmen and archers. They took the castle of the Liddel, and a deplorably tedious lamentation is made for the execution of Walter de Selby, one of the robbers of the messengers of the cardinals to Robert Bruce.

This good gentleman was a *routier*, or highway knight.[49] Though his son was spared, Selby's head was cut off, to the horror of the Lanercost rhetorician. The Scots, in fact, plundered Lanercost itself, and the chronicler actually brings up against David a scandal of his nursery days.[50] David went about burning royally; but his army was not all that it might have been. The Knight of Liddesdale now advised a retreat with the booty, but his counsel was slighted. Perhaps a rumour of his dealings with Edward had gone abroad, and he was no more trusted than the traitor Sir George Douglas in the time of Henry VIII. The Scots observed that they had taken for the Knight the castle of the Liddel, and that now they must be permitted to help themselves. The Knight, in a foraging expedition, fell in with, and scarcely escaped from, an English party. He arrived, *satis calefactus*, "warm enough," at the Scottish camp, within sight of Durham, where he announced the neighbourhood of the English under Henry Percy, Thomas of Rokeby, and the Archbishop of York. David exclaimed, "Miserable monks and pig-drivers!" His army was in three divisions: he led the centre, Randolph the right; the Knight, the Steward, and March led the left wing. On the English part, Percy commanded the right wing, thrown forward in advance, with Angus, Scrope, and Musgrave. Neville, with the Archbishop of York, was in the centre. Rokeby was on the left, with the archers of Lancashire. Coupland, Sir Thomas Gray, and d'Eyncourt were also on the field. The English, having formed on the Red Hills in such a position that the Scots could only approach

(like the English at Bannockburn) with a narrow and crowded front, dismounted, and fought on foot. Their archers were thrown forward on the flanks *en potence*, so as to envelop the Scottish advance. The king's division, the right, was especially straitened for room; the left, under March and the Steward, was better accommodated. The English archers loosed volley on volley from the flanks. Sir John Graham in vain asked for a cavalry charge on the archers, as at Bannockburn; he dashed among them with a handful of his own men, but his horse was shot. The whole English force now came on, a crucifix carried in the van. The centre, entangled in enclosures, was attacked; the nobles dropped thick round David, who was wounded by two arrows. There died Moray, the last male heir of Randolph; Hay and Keith, the Constable and the Marischal, Charteris and Strathearn, and thirty barons. David was grappled with by John de Copeland; he dashed out the squire's teeth with his dagger, or gauntlet; Copeland took him, however, and was rewarded with an estate of £500. He was murdered, not long afterwards, by English enemies. March and the Steward escaped unhurt, though many of their name and following fell.[51] David is thought to have resented the Steward's retreat as a desertion. By this resentment and distrust may have been caused David's later intrigues against his country and his destined successor. He was, naturally, suspicious of the heir to the crown. Menteith, the Knight of Liddesdale, and Fife were taken: the last was condemned, but not executed as a traitor; while Menteith was executed in the cruel customary fashion. So ended the Battle of Durham, or Neville's Cross (October 17, 1346), for long used as a day to date from in Scottish records. Scotland was now in as evil plight as after the taking of William the Lion —her king a prisoner, her lords leaderless. There are traces of an intrigue by which Lionel, a son of Edward III., is to aid Edward Balliol, doubtless in hopes of succeeding him on the Scottish throne, of which he did not yet despair.[52] The nation did not abandon hope. The Steward became Regent. William Douglas, Archibald's son, returning from France, drove the English out of Douglasdale and Ettrick; Teviotdale rallied to him, and expelled the toothless Copeland.

Edward had taken Calais, but funds were lacking, and a truce with France, carried on, by renewal, till 1354, included Scotland. David's ransom became the central question. In 1352 (July 17),

the Knight of Liddesdale bound himself to serve Edward in all his wars, "except against the Scots, unless at his own pleasure," for the reward of the Hermitage, and lands in Annan and Moffatdale.[53] There were also secret negotiations between David and Edward, David furtively acknowledging Edward as his Lord Paramount. In 1353, the Knight of Liddesdale's stormy career was ended. He was slain by William, Lord Douglas, his godson, in Ettrick Forest at Williamshope, on Yarrow. The kinsmen had jealousies about Liddesdale, and a ballad says—

> "The Countess of Douglas out of her bower she came,
> And loudly there she did call,
> It is for the Lord of Liddesdale
> I let the tears down fall."

Tradition, ever in love with romance, makes her prefer the dark Knight to her wedded lord.[54] The Knight's body was carried to the chapel of Lindean, between Abbotsford and Selkirk, where a few tombs of the Kers of Faldonside remain, and a tradition of the plague, probably not "the first pestilence," that of 1350. Later the Knight was laid to rest in Melrose Abbey: he had been an example of later Douglases, neither tender nor true.

During David's absence as a captive in England, the Steward and the Scots may not have been very anxious for his return. Many lawless acts had been done in his absence. He himself was Anglicised, and had taken an English mistress. But, in July 1354, a treaty for David's ransom was made at Newcastle. Ninety thousand merks sterling were to be paid in nine years. A truce included Edward Balliol. Twenty hostages of rank were to be given. *Sterling* coin was demanded, for "the new Scottish money was inferior in weight and fineness to the English."[55] But these arrangements for peace were interrupted by France. A French knight arrived with men-at-arms, and with 40,000 *moutons d'or* for Scotland. This led to a Scottish raid, and an ambush, in which our friend Sir Thomas Gray was taken prisoner with his father: in prison he wrote his often-cited work, 'The Scalacronica,' and we may presume that his father was his authority for the period within his memory. The French and Scots then took Berwick town; the French were dismissed with thanks—on Scottish soil they were never popular allies down to the Forty-Five. The castle at Berwick had foiled the assailants, when the town fell, and all was recovered by Edward, in January 1356. In the same month Edward Balliol

delivered his crown of gold, and a sod of Scottish earth, to Edward. He received an annuity of £2000, on the customs of Kingston-on-Hull, and St Botolph. Old, fatigued, childless, the warrior of Dupplin Moor fell back on pike-fishing, and took some jack of 3 feet 6 inches in length.[56] Edward had now the homage of David, and the resignation of Balliol in his muniment-chest. He invaded Scotland, after taking Berwick, but the Scots merely withdrew, following the lines of "Good King Robert's Testament." Douglas, by pretended negotiations, duped Edward into a ten days' halt, while the Scots burned or carried off their property, and Edward, discovering the plan, ruined the eastern Lowlands. He destroyed the fair Abbey Church of Haddington, "The Lamp of the Lothians"; he reached Edinburgh, but his victualling fleet had perished, and his retreat, on a small scale, resembled that of Napoleon from Moscow. Each forest poured out nimble Scots, who harassed the hapless English army, and so ended the foray of *The Burned Candlemas*. A cessation of arms followed, and Douglas, being on a foreign pilgrimage (expiatory, perhaps, for the dark Knight's slaying), took the opportunity to fight for France at Poictiers. In January 1357, the interrupted efforts for peace were renewed. David Bruce was carried to Berwick, the treaty of ransom (100,000 merks in ten years) was ratified in October 1357, and the Estates of the realm —lords, churchmen, and burgesses—bound themselves to pay by annual instalments. One clerical commissioner was Barbour, author of the poem of 'The Bruce.' Hostages were given, including the Steward's eldest son. The ransom was crushing, and the details of taxation are curious.[57]

The ransoming of David, both as to the total sum and other details, proved most oppressive. The country had been drained of money for the ransoms of the captives of Neville's Cross, and for their expenses in England. Moreover, three great nobles and twenty young men of rank had to be maintained in England as hostages, till the 100,000 merks were paid. On the king's return Parliament met at Scone, and devised a singular financial expedient for raising the money. All the wool in the realm was to be sold to David at a stipulated price, four merks the sack (two-thirds of the market price), and he, it seems, was to sell in the dearest market, and pay his ransom out of his differences.[58] An inquest was to be held on all real and personal property (with a few exceptions); and

a sort of universal census was to be taken, each individual being asked voluntarily to contribute as much as he could. Measures were taken to prevent the evasion of the first article by the exportation of sheep or lambs. Moreover all lands, rents, and customs which the king had granted to others were to be resumed, for the maintenance of the throne. The great customs were trebled. Pardons and remissions granted by the Steward, during David's long absence, were revoked, and it seems that, in the feuds and forays of the Regency, there had been much to punish, whereas much had been forgiven. Obviously such measures must provoke discontent, both in the suffering people and in the Steward and the adherents of that heir-apparent of the Crown.

There was ever a suppressed feud between the king and the Steward, whose measures, after Durham fight, were not favourably eyed by David. The king was childless, and jealous,—hence came his constant trips to England, and negotiations for fixing the succession on Lionel, Edward's son. Edward wisely granted commercial privileges to Scotland; English universities were opened to the youth of the Northern realm. We here touch on a curious point in secret history, which has been misunderstood by some authorities. Sir Thomas Gray tells us, in the 'Scalacronica,' that, at a date which appears to be the spring of 1363, the Earl of Douglas, thinking that David "was not good lord to him," collected forces, with the assent of the Steward and the Earl of March. They sent a petition to David, "with their seals hanging to it" ("Ragman's Rolls"), demanding that he should not waste on other expenses the money raised for his ransom. David put down the confederates, and married Margaret Logie, who had already been four times a bride. David had lost his wife in 1362, and now married *seulement par force d'amours*.[59] Now if we turn to Bower we find him averring that, in 1363, David called a Parliament at Scone, and suggested that, on his own death (without heir of his body, no doubt), Lionel, son of Edward III., should become king. We have already seen that there are hints of such an ambition on the part of Lionel. The Estates replied that, "Never would they have an Englishman to rule over them." On this, or some other grudge, says Bower, arose the conspiracy of the Steward and others, who appended their seals to *literæ ragmannicæ* (as in "the Ragman's Roll"). David put down the revolt, and took an oath of fealty from the Steward, in May 1363, the Steward re-

nouncing his "band" with March, Douglas, and his own sons.[60] Mr Tytler and Lord Hailes, following Bower, make events pass as he narrates, and then take David to London, in November 1363, where he executes a project of a secret treaty, whereby the King of England is to succeed him if he dies without heir of his body. Thus the order of events in most histories is the Parliament of Scone (March 1363), the revolt of the Steward (ended May 14, 1363), David's project of secret treaty with Edward (November 1363).

But this is not really the order of events. The date of the Steward's formal vow of allegiance to David is May 14, 1363.[61] Now it is plain that a rebellion which ended in May 1363 could not have been caused by a treaty of surrender to England proposed by David on March 3, 1363-64—that is, in 1364, new style. What really occurred was this: in spring 1363, March, Douglas, the Steward, and others were at odds with David, partly on private quarrel, partly because of his wasting the money raised for his ransom. His journeys cost thousands of pounds. David put down the insurrection on May 14.[62] David then (October 6) went to London, and *two* projects were drafted between him and Edward and their Privy Councils. By one (November 27), the *King of England* was to succeed David, if he died childless. By the other project, David's heir was to be *a son of the King of England*, not being the Prince of Wales—that is, probably Lionel. This, the second project, undated, but of November-December 1363, was the scheme actually laid by David before his Parliament, in March of the following year (1364). They bluntly and decisively refused to assent.[63] Thus David did *not* moot the second scheme to the Estates, in March 1363, and so cause a rebellion, after which he entered into a still worse scheme. He contemplated both schemes *after* the rebellion, and preferred the second. Douglas was consenting to the projects for restoration by England of all Bruce's castles and towns; perpetual peace between the realms; remission of the ransom; Scottish service in France; restoration of the disinherited earls; the succession of a son of Edward's, and so forth.[64] There is also, of November 27, the project by which—not a son of the King of England, but—the king himself shall succeed, if David has no heirs male.[65] By this plan the ransom will be forgiven; the title of kingdom of Scotland will be preserved; the Stone of Destiny is to be carried to Scone, and the King of England

crowned there, as King of Scotland; all Parliaments of Scotland will be held within that realm; the Church and laws are to be maintained; all governors and officials are to be Scots; merchants' franchises are guaranteed, and *the Earl of Douglas is to be restored to his paternal estates in England*, or receive an equivalent.

The affair is tolerably clear. Douglas was present when this scheme was framed, and was consenting. His price was to be paid. David would either have an heir male by his new bride; or England, with Douglas, would oust the Steward, and his large but dubious offspring. Thus Douglas was obviously bought to assent to the removal of the succession from the Steward, to a king or prince of England. He certainly was in London with David, in November 1363, for he then and there received a silver gilt cup from the English king.[66] Douglas then went on pilgrimage to Canterbury. He was not at Scone, when David broached the scheme to the Parliament there, in March 1364, by new style: by old style, 1363.

The rising of Douglas, March, and the Steward was, therefore, *before*, not *after*, David's startling proposals—as Sir William Fraser justly observes. During that rising (May 1363), David nearly captured Douglas, at Lanark. But, when he had put the insurrection down, David, it now seems certain, intended, by securing the succession of an English prince, to oust the blood of Bruce in the person of the Steward. He therefore managed to detach Douglas from the interests of the Steward, and of Scottish independence. Thus Douglas's gilt cup, given to him in London, in November 1363 (value £10, 1s. 6d.), destroys his credit, if not as a patriot, at least as a stickler for an independent Scotland. The son of the Bruce, the nephew of the good Lord James, are here found united in an attempt to set an Englishman on the Stone of Destiny.[67]

We may urge that, while David and Douglas both perceived the inestimable advantages of a Union, they both anticipated war on account of the dubious legitimacy of the Steward's children. But it is not less probable that David was jealous of the Steward, and that Douglas wanted his family's old English estates. Hitherto, as has been said, Scotland has a scanty constitutional history, because her kings, living within their income, made no unconstitutional demands. David Bruce did not live within his income, and the remaining years of his reign have a certain constitutional and financial interest. The parliamentary results will be later summarised.

David's acquiescence in the succession of an English king or prince was probably due to two causes. First, if the plan were accepted, he was to be relieved from the payment of his ransom, and from the risk of returning to prison if that ransom was not paid. Secondly, in addition to a monarch's natural jealousy of his heir, David suspected the Steward of lack of zeal at Neville's Cross. Again, the Steward had rebuked and alarmed him, in the spring of 1363. Finally, there was ill-will between the Steward and the new Queen, Margaret Logie, *née* Drummond.[68] But David's plan for escaping all his troubles by securing an English successor to the throne was a failure, and the rest of his reign was a series of financial expedients, and of troubles with the Steward, whose daughter had married John of the Isles. The Highlands were unquiet, John of the Isles was especially insubordinate, and the Steward was at least suspected of being in league with his son-in-law. Meanwhile the policy of Edward III. was to keep a steady pressure on Scotland by demanding instalments of David's ransom. A truce of four years would soon run out. During that truce, Edward tempted the Scots by allowing every kind of privilege to their merchants, wandering students, and pilgrim knights. Nobles, the king, and the queen went and came: sometimes the knights were on their way to take foreign service, that regular resource of the Scots; sometimes, under pretence of pilgrimages, they were engaged in secret diplomatic adventures. The money and the military force of Scotland were thus leaking out of the distracted country.

On one side lay bankruptcy, under pressure of the ransom; on the other side were the seductions of yielding to a rich and powerful neighbour, favoured by the degenerate son of Bruce. In these perilous circumstances, while great lords behaved like petty and arrogant monarchs, the Estates of the realm displayed a tenacity and resolution as creditable as the martial courage shown at Stirling Bridge and Bannockburn. The scheme for upsetting the succession, as it had been planned by Bruce, the Estates would never accept; but they strained every resource to free the land by paying off the king's ransom. The most notable of the recurrent financial schemes may be matter of remark. In January 1364-65, a Council at Perth offered great concessions to England. They would restore the disinherited lords. They would yield the Isle of Man and the estates of Edward Balliol to a son of Edward III., if the balance of the royal ransom were remitted. If not,

they made three alternative proposals for the gradual payment of the ransom. Wool was to be taxed for the purpose and an impost of sixpence on the pound was to be universal. Edward granted a four-years' truce, on June 20, 1365, and the 100,000 merks was to be paid in yearly instalments of £4000. On July 24, 1365, a new Council was held at Perth. John of the Isles and Douglas were among those present, with the Steward; but the burghs were not represented, the chief merchants being absent, on business, in England. Edward's terms were granted, if no alleviation could be procured. On May 8, 1366, a Council at Holyrood finally and absolutely refused as "insufferable" Edward's demands for homage, the succession, and the dismemberment of the realm. In July 1366, a Parliament at Scone considered a new valuation of lands: even the property of burgesses and husbandmen was now to be valued for the purpose of buying the necessary peace—permanent, or at least for twenty-five years.[69]

But the money could scarcely be raised: the commissioners were forcibly resisted at Clackmannan by a Bruce, by Leslie and Lindsay in the Mearns. David's private expenses were swallowing the contributions: he was in debt on every side, and actually in danger of arrest in England. Edward showed his intentions by disdainfully alluding to Robert Bruce as "the person who had pretended to be King of Scotland," nor did he give David his royal title. He actually held much of the south of Scotland,[70] and over the country hung the clouds of bankruptcy and imminent war, or the alternative of absolute submission. In a Parliament at Scone (27th September 1367), a desperate remedy was devised. All alienations of crown property since the days of Bruce were simply annulled and revoked,—a measure full of injustice, and corresponding to "repudiation." Edward only increased his demands, which were again refused by a Parliament at Scone, in June 1368. John of the Isles and the Earl of Ross had been "contumaciously absent" from the Parliament of 1366. By 1368 John was in open rebellion, in resistance to the new taxation. He had divorced Euphemia, the sister of the murdered Ranald, who was slain at Elcho monastery by Ross, just before the battle of Neville's Cross, and he had married Margaret, daughter of the Steward.[71] To the Steward and his sons was now assigned the task of subduing their kinsman, the Lord of the Isles.

Warlike preparations were made, against the expiral of the truce.

Nine months later, the Lord of the Isles was still contumacious. Affairs were desperate. The customs had been raised to four times their original amount. The nobles were at feud. The holders of royal gifts were ruined by their alienation. There was a famine in the land. Disunion, crushing taxation, the allurements of a quiet prosperous life, combined to make Scotland look towards an abject surrender. But there was a *Deus ex machinâ*. France once more proved the salvation of Scotland. The Parliament of Aquitaine had resisted a tax of the Black Prince's, and had appealed to the King of France. In 1369, Charles summoned the Black Prince to his court. Edward III. proclaimed himself King of France, war broke out, Du Guesclin adopted the Scottish Fabian policy of avoiding battle; envoys from France were in Scotland, and peace with Scotland became necessary for England. In 1369, a truce of fourteen years was granted. Four thousand marks towards David's ransom were to be paid annually. The English lands in southern Scotland were placed under a mixed council, the Scottish legal owners receiving half the rents. The tide had turned at last. David was free to march against the Lord of the Isles, who submitted, at Inverness (November 15). The king paid his creditors 13s. 4d. in the pound, but (February 1369-70) repudiated all debts before 1368. On February 22, 1370-71, David died in Edinburgh Castle. With his wonted wisdom he had been contemplating a Crusade! He had divorced Margaret Logie in the Scottish Courts; the Pope, at Avignon, had espoused her cause, and even an interdict was threatened. The son of Robert Bruce contrived to involve his country in every conceivable kind of trouble and disgrace. In January 1368-69, the Steward and his unruly son, the Wolf of Badenoch, had actually been imprisoned in Loch Leven Castle. This may have been because of their supposed complicity with the Lord of the Isles, or, again, because of the intrigues of Queen Logie. Her divorce is attributed to an intention on her part to bring in a warming-pan heir.[72] But, in 1369, David was paying his court to a daughter of Black Agnes of Dunbar.[73] The truth about the divorce and the domestic intrigues which involved the Steward, the heir to the crown, are thus matters of surmise. A singular example of David's conduct occurs as early as 1358, when he transferred the lands of Randolph's house, extinct in the male line, to Henry, Duke of Lancaster, and, failing male heirs, to his daughters for their lives. This would have admitted John of

Gaunt, husband of Lancaster's younger daughter. The grant seems never to have taken effect, but it is witnessed by the Steward and Douglas.[74] David left his country in debt to England for 48,000 marks, the balance of his ransom-money. Two or three instalments were paid, after his decease, but the whole of the money never reached England.[75]

David was personally brave, as he showed at Neville's Cross, and he put down rebellious nobles with some energy. Otherwise he was destitute of character. Scotland was nothing to him, compared with the luxuries of England. It was merely a country of which he had a liferent. His French education, his English tours, had made him a lover of the gaudy chivalrous diversions of his day. David rejoiced in blue and red trappings of velvet for his horse, and the cloths were embroidered with the White Rose. In 'The Tales of a Grandfather' Scott collects the feats of gallantry and endurance which chroniclers record of Scottish knights. David's French training had made him an adept in these gentle and joyous passages of arms, exercises unprofitably brilliant, and not needed to teach valour among a people constitutionally brave. As we have seen, chivalry did not repress the duplicity of lords and earls, nor was a nice regard of honour inconsistent with public and private treachery. But, amidst so many trials, the heart of the nation remained sound, and resolute in all extremes.

Constitutional progress, in David's reign, may be tersely described.[76] Parliament, in David's reign, not only granted and assessed taxes, and controlled their expenditure, but (1) entered into details of coinage and the currency, which were even then of the prerogative of the Crown. (2) It directed the administration of justice. (3) It assumed the right to dictate the terms of peace with a foreign State. (4) It called to account officers, though holding their offices hereditarily by grant of the sovereign. (5) It directly controlled the sovereign himself, in his expenditure and ceremony, and it pronounced a famous ordinance, that no officer should put in execution any Royal warrant "against the Statutes, and common form of law."[77] These liberal tendencies were much counteracted by the contemporary institution of Committees, one of them the germ of the body, "the Committee of Articles," which came to be called the Lords of the Articles; the other, "the Committee of Causes," was the rudimentary form of the Supreme Court of Justice. Rich burgesses declined to attend Parliament,

for reasons of their own, and constant Parliaments were troublesome and expensive. For these reasons, and reasons of secret control, a Parliament at Perth increased and defined the powers of these standing Parliamentary Committees. However the Lords of the Articles were elected in coming years (probably by arrangement within the dominant party), they were naturally not democratic in tendency.[78]

The condition of the people and the trading and learned classes, in forty years of foreign war and domestic feuds, might, to a modern mind, seem helplessly wretched. But things were not so bad, as Walsingham speaks of "the inestimable wealth" of John Mercer, who, when taken prisoner during a truce, in 1376, was released without ransom, to Walsingham's chagrin.[79] The existence of men like the Mercers is characteristic of old Scottish society. The numerous safe-conducts (in 'Rotuli Scotiæ') to Scots merchants and students, about 1363-1370, show the opportunities of trade and culture. Barbour, author of 'The Bruce,' is a recipient of such a document. His poem proves that neither war, nor plague, nor a grievous famine, depressed the ardour of letters. The knowledge of his age Barbour possesses, and displays by endless digressions into classical or pseudo-classical parallels, rather in the style of Montaigne. While trade and learning managed to exist, war and the mimic fights of chivalry, and costly array, and expensive pilgrimages, engaged the nobles. Scots often took foreign service, in France, Spain, and as far as Egypt.[80]

The experience of Scotland, under this miserable reign, was calculated to strengthen the national character. A sudden fiery revolt, a great victory, had made the country free, but could she keep her freedom when the generation of Bannockburn, the *Marathonomachai*, was under the sod? Scotland was tried by a recreant king, by internal disunion, the fruit of Bruce's forfeitures, by dynastic jealousies between David and his heirs, by grinding poverty, plague, famine, and taxation. Before her was displayed the lure of prosperity and peace. For these she had but to sell her birthright of freedom. But emboldened first by the son of Wallace's friend, Murray, and the heroic sister of Bruce, and the blood of Randolph in Black Agnes of Dunbar, Scotland desperately resisted threats, declined seductions, and was relieved, in her darkest hour, by the uprising of France against the inordinate aggressions of England. The Ancient League, with all its disappointments and disasters,

was the salvation of France and of Scotland. For the rest, between the death of the Maid of Norway and the entrance into European politics under James IV.,—or rather, perhaps, till the Reformation, — the History of Scotland is inspired by but one national idea, Independence, resistance to England. The tardy progress of constitutional advance, and of culture, is almost unconsciously made, but is distinguishable.

NOTES TO CHAPTER IX.

[1] Theiner, Monumenta, p. 244. The non-anointing of Scottish kings had been a point in the English claims.

[2] Exchequer Rolls, i. cxiii.

[3] According to English scandal, an infantile indiscretion of the baby David, during the ceremony of baptism, was an omen of evil. This is dragged up against him by the chronicler of Lanercost, at the time of his invasion of England.

[4] William III. had to take the exterminating oath, protesting, in the spirit of Euripides, that "the tongue swore, but the heart was unsworn." The "accursed Union" "substituted a declaration more in accordance with the precedents of England, and happily relieved all following princes from the wickedness and mockery of a cruel and impossible obligation." Robertson, Statuta Ecclesiæ Scoticanæ, I. xlix. So early began in Scotland, and so late survived, the lust for persecution.

[5] Bain, Feb. 24, 1331, iii. 186; April 22, 1332, iii. 190, 191.

[6] Chron. Lan., p. 267.

[7] Mr Tytler investigated this charge of poison, with some inclination to belief. Barbour was a boy of about fifteen at the date of Randolph's death, and Barbour records the tale, without accusing any one in particular.

"*Pusonyt was he,*"

is all the record of Barbour. Bower, the continuator of Fordun, born more than fifty years after the event, knows most about it, and implicates an English priest. This kind of legend is worthless.

[8] Chron. Lan., pp. 259, 267.

[9] Fordun, Goodall, lib. xiii. chap. 25. It is added that Murray was later executed for his treason; but Fordun's continuator is a very late and untrustworthy authority. Chron. Lan. admits that intelligence was received.

[10] Fordun. See Mr Neilson's "Angli Caudati" (C).

[11] Lanercost, p. 268.

[12] Lanercost, p. 268.

[13] J. E. Morris, Historical Review, July 1897, citing Bridlington and Lanercost. Mr Oman's account is also of much interest. The use of archers placed at right angles to the English flanks, if it was Balliol's idea, marks a genius for war. The plan was used, of old, by Narses, the eunuch general.

[14] Scalacronica, p. 160; Lanercost mentions the height of the hill.

[15] Knighton, p. 2562.

[16] Lanercost, p. 270. Scalacronica, p. 161. Fordun places the event later, and is followed by Mr Tytler, i. 170 (1864). Bain, iii. xl.

[17] Fœdera, vol. ii. pt. ii. pp. 847-849. Cf. Bain, iii. xli.

[18] Lanercost, p. 271; Scalacronica, p. 161.

[19] These Douglases are puzzling. Lord Hailes held that Bruce's Black Douglas never married, and was succeeded by an imbecile, really a clerical, brother, Hugh, *represented* by a valiant brother, Archibald, called Tineman (from his lack of luck). But Sir William Fraser, in the 'Douglas Book,' i. 185, produces evidence of a legitimate son and heir of the Black Douglas, William, slain at Halidon Hill. The Knight of Liddesdale, again, was no bastard, but legal son of Sir James Douglas of Lothian. William, Lord of Douglas, who fell at Halidon, must then be kept distinct from William Douglas, the Knight of Liddesdale.

[20] "Plana per ignes sic inflammentur, ut ab hostibus evacuentur." As late as 1752 this was Lochgarry's advice to Prince Charles.

[21] Baker.

[22] Lanercost, p. 274; Swinbrook, p. 51. For the fight, a pattern of many later defeats, see Oman, p. 586.

[23] This appears from Lanercost and Baker.

[24] It is a picturesque circumstance that, on this woful day, the paternal ancestor of Charles I. and the maternal ancestor of Oliver Cromwell (Alan Stewart of Dreghorn and James Stewart of Rosyth) fought under the banner of their chief—at least, so says Lord Hailes, ii. 184. His view is now reckoned untenable.

[25] Bain, iii. 197. October 1, 1333.

[26] Fœdera, Record ed., vol. ii. pt. ii. p. 853; Acts of the Parliament of Scotland, i. 539.

[27] Fœdera, vol. ii. pt. ii. p. 879.

[28] Bain, iii. 203.

[29] Scalacronica, pp. 164, 165; Fordun (who gives the facts of the origin of the quarrel), chap. cl.

[30] March had joined the Scots before February 1335, and Atholl before May 1335; by August he was restored to his lands by Edward III. Bain, iii. 207, 212.

[31] Lanercost, p. 278.

[32] Exchequer Rolls, i. cxlv.

[33] We find Edward presenting a silver enamelled cup and ewer to the brother of the Count. Bain, iii. 211.

[34] He was kept in irons. Bain, iii. 222. [35] So, too, Scalacronica, p. 165.

[36] Fordun describes Andrew Murray as relieving his own castle, held by his wife (p. cliv). Wyntoun takes the view adopted in the text.

[37] Bain, iii. 213. Perth, September 12, 1335: obviously a mistake, the Earl of Atholl being alive in September 1335. Probably 1336 is meant. Bain, iii. xlv.

[38] Fordun died, an old man, about 1385.

[39] In a Guide to Scotland the deed is done in church, before the high altar!

[40] Dates offer difficulties. Mr Bain (iii. xlvii) appears to date the blockade of Berwick, January 28 June 10, (*circa*) 1338.

[41] Such is Lord Hailes's story, derived from Fordun (p. clix). But Mr Bain points out that Bullock was still Constable of Cupar, and drawing pay in that capacity, on December 12, 1339, whereas Perth was surrendered to the Scots on August 17 of the same year, at least according to Lord Hailes, and had undeniably fallen before October 29 (Bain, iii. 240). The picturesque details about Bullock, therefore, seem impossible, but see Exchequer Rolls, i. clv.

[42] Exchequer Rolls, i. clvi; Bain, iii. 252.

[43] So says Wyntoun, and the story is too good to be lost. But the *compotus*, or accounts of the English governor, Rokeby, say nothing of this onfall. Rokeby himself was not present (Bain, iii. xlix, 252). That Wyntoun's narrative is practically correct, whether Bullock suggested the ruse or not, appears from the Exchequer Rolls, i. clvi and 507.

[44] June 2, 1341; Exchequer Rolls, i. clx, clxi.

[45] Fordun says he died *infelici morte*.

[46] Rot. Scot., i. 637, 640.

[47] Fœdera, vol. ii. pt. ii. p. 1230 (1343).

[48] Gregory, Highlands and Isles, pp. 26, 27; Clan Donald, pp. 104-109. Ranald is "filius Roderici," or Macruari.

[49] This was no unusual profession. Sir Thomas Grey, author of the 'Scalacronica,' had seized Renton, a burgess of Berwick, and held him to ransom in time of peace (Bain, iii. 195). Monstrelet, that literary knight of Burgundy, "did something lean to cutpurse of quick hand." Selby, moreover, had been a trebly dyed traitor to either side. Cf. Bain, iii. 308, for his slaying.

[50] Lanercost, p. 346.

[51] White's Battle of Neville's Cross (1857) has been consulted. The Lanercost chronicler ends his book with a verbose account of this invasion. He accuses the Steward of cowardice.

[52] Ayloffe, Ancient Charters, p. 299.

[53] Bain, iii. 286.

[54] Douglas was not yet an earl, and "countess" is a ballad anachronism. But a ballad is not evidence. The poet always introduces a love-affair as the motive. Compare "the Bonny Earl o' Murray, He was the Queen's love."

[55] Bain, iii. 289.

[56] For Balliol's angling exploits, see Bain, iii. 295. He was a coarse fisher, taking "perches, roches, tenches, and skelys"—"scaleys," chub, so called on the Eden. On Balliol's surrender, see Neilson, 'Juridical Review,' xi. 2, 186.

[57] See Tytler, i. 221, edition 1873. Cf. Exchequer Rolls, ii. xxxvii.

[58] Act. Parl. Scot., i. 133-144.

[59] Scalacronica, p. 203.

[60] Fordun, lib. xiv. chaps. 25-27.

[61] Fordun, xiv. 27; Tytler, i. 229, edition as *supra*, 1873; Exchequer Rolls, ii. xlix, l.

[62] Scalacronica, p. 203, and other authorities in The Douglas Book, i. 242.

[63] Act. Parl. Scot., i. 135; Bain, iv. 21, 22.

[64] Bain, iv. 21; Chapter House, Scots Documents, Box ii. No. 2, *circa* November 1363.

[65] Fœdera, iii. 715; Hailes, ii. 278.

[66] Sir William Fraser, in The Douglas Book (i. 243), says "this stipulation" (that Douglas should recover his English estates) "does not infer that Douglas was privy to the treaty. . . . There is no evidence that he was in England while it was drawn up at Westminster." But there *is* evidence—in the record of cups given "to divers lords and others, who came to England in the retinue of the King of Scotland" (Bain, iv. 22). The confusion made by previous historians as to the order of dates is cleared up by Mr Burnett (Exchequer Rolls, ii. liii). I had noted the right sequence of dates before reading Mr Burnett's interesting preface.

[67] But nothing of all this—that is, of the second project—was "secret," as Lord Hailes and Mr Burton allege (Hailes, ii. 283; Burton, ii. 340). The Acts of Scots Parliament says in so many words that David, in the Parliament of Scone

(March 1363-64), announced the result of his negotiation with Edward, in November 1363. The thing had been treated, David said, "inter consilium Regis Angliæ, et alios ipsius, qui cum eo fuerant nuper Londini," Douglas being one of the party. The Scots Estates, *nullo modo voluerunt concedere*, would not come into it. Mr Tytler knew the facts, but, misled by old style, dislocated them. The results have been mere historical chaos.

[68] For this Drummond Queen, see Exchequer Rolls, ii. liii, lxv.

[69] It is curious to find John Crab, the Berwick engineer, or his son, sitting in these Parliaments. Act. Parl. Scot., i. 495-498; Exchequer Rolls, ii. lxxvi.

[70] Rot. Scot., i. 901.

[71] The historians of Clan Donald call the Macruari lady "Euphemia" (p. 111 and "Amy" (p. 116). They add (p. 118) that John of Isla acted as High Steward in 1364, when his father-in-law, the Steward, was in prison (p. 118, 119).

[72] Liber Pluscardensis lib. ix., chap. 46.

[73] Exchequer Rolls, ii. lxiii, note 2.

[74] Bain, iv. 3.

[75] Bain, iv. xi. xii.

[76] See the preface, by Mr Cosmo Innes, to the collection of Scots Acts of Parliament.

[77] Sir John Skene characteristically omitted this oft-repeated rule, in an edition of Scots Acts published under James VI. and I. It did not suit James's ideas of Prerogative.

[78] See Hailes, ii. 286. The Committees were "*elected by the Commons and by the other Estates*," 1366.

[79] Exchequer Rolls, ii. xliii, note 4.

[80] Michel, Les Ecossais en France, i. 74, citing MS. of La Prise d'Alexandrie, 1349.

CHAPTER X.

THE EARLY STUART KINGS.

THE reign of David II. shows Scotland clinging to her ideal of Independence, in spite of war and weariness, plague and famine, and the treachery of some of her natural leaders. The reigns of David's successors, the early Stuart kings, are in this regard less interesting. If Scotland had, in Robert II., an elderly outworn king, England fell under a minority, that of Richard II. Mere plundering raids, or tournaments on a gigantic scale, take the place of national resistance to foreign oppression. The lights of the setting sun of chivalry fall on the time, in the enchanted pages of the contemporary Froissart. From him we hear a living voice, delightful after the rhetoric of monks. The death of David II. left Scotland in the hands of kings who, at least, might be trusted never to give or sell her to England. The succession of the Steward's son by Marjory Bruce, daughter of Robert Bruce, had been settled by the Parliament of 1318. That son, Robert II., represented, in the male line, a race of whose beginnings little is known. Andrew Stuart, author of 'The Genealogical History of the Stewarts,' who wrote while Henry IX. (Cardinal York) was still acknowledged as head of the royal house (1798), dismisses the fond pedigrees which trace the Stewarts to Banquo and the line of Kenneth MacAlpine.

In fact, Alan, son of Flahald, father of Walter, the first hereditary Steward, or Seneschal, of Scotland, was merely a noble of Norman race. "The real descent of the Stewarts was known as late as the fourteenth century, when Richard Fitz-Alan, Earl of Arundel, in 1336, sold the Stewardship of Scotland to Edward III., a transaction which was confirmed by Edward Balliol. The sale was, of course, a political fiction, founded on the assumed forfeiture

of the Scottish branch of the earl's family, through which their hereditary office" (the Stewardship) "was supposed to have reverted to their English connections."[1] Thus the new dynasty were descended merely from a cadet branch of the Earls of Arundel, and their founder was one of the many Normans in the *entourage* of David I. Their first Royal descendant was Robert II., son of Walter, crowned at Scone on March 26, 1371, when his eldest son, John, Earl of Carrick, was recognised as his heir. The legitimacy of John (crown name, Robert III.) was impugned by George Buchanan, in statements of singular inaccuracy. In point of fact, Robert II. had lived with, and had children by, Elizabeth More, or Mure, of Rowallan, before their marriage. Robert and Elizabeth were also within the degrees of propinquity forbidden by the Church, and Elizabeth, as a child, had been contracted in marriage with Hugh Gifford, aged nine. A Papal dispensation, however, permitted the marriage (1349), though Robert had also been the favoured lover of Isabel Boutellier, herself in the third and fourth degrees of affinity to Elizabeth. A provision in the dispensation legitimated the "multitude of children of both sexes"; but "it remained a point admitting of doubt among canonists whether such a provision, in the absence of any assertion either of a previous marriage or of ignorance of the impediment, conferred the full status of legitimacy on the offspring."[2] Thus the marriage of Robert and Elizabeth had a treble need of a dispensation, having been preceded by what (canonically) was incestuous concubinage. It has been argued that, in these circumstances, even the Pope could not "remit the irremissible," and that consequently the Royal House of Stuart never was, nor ever could be, legitimate. Their real title was parliamentary. Such is the irony of Fate, for in regard to no family has the creed of legitimism been pressed so far, or proclaimed so loudly, and the Royal Houses of Europe almost all have strains of Stuart blood.[3]

Robert II., after the death of Elizabeth Mure, had a second wife, Eupheme Ross, whose children were of undeniable legitimacy. From them came the Earl of Atholl under James I., whose ambition probably led to the murder of that monarch. As late as the reign of Charles I., the Earl of Menteith, descended from the second wife of Robert II., caused anxiety to the reigning king, and his modern representative was the famed sportsman, Barclay of Ury.

These troubles of the succession were remote; but even Robert II.

was threatened, before his coronation, by the opposition of the Earl of Douglas. The earl found himself too weak to resort to arms, and his eldest son was presently married to Robert's daughter, Isabella. He himself became Warden of the East Marches, a position of the highest importance in view of English invasions.

Surrounded by many sons, natural or legitimate, Robert II., who had been warring all his life, was inclined to fleet the world carelessly. His second surviving son, Robert, Earl of Fife, and later, Duke of Albany, was the statesman of the family. His third, Alexander, the Lord of Badenoch, called "Wolf of Badenoch," an enterprising ruffian, misruled the north, through his father's weakness, almost as a king. The Crown Prince (Earl of Carrick) was named John, a name so unlucky that he changed it for Robert, when king, without changing the luck.

In foreign affairs, David's ransom continued to be paid, but Edward declined to give receipts to "the King of Scotland," a proof that he maintained his old pretensions. England still held Annandale,[4] Berwick, Roxburgh, and Lochmaben Castles. Though the Black Prince was dying, and du Guesclin was restoring the prestige of French arms, the English king remained the covert enemy of Scottish independence. Scotland looked towards France. In 1372,[5] Walter Wardlaw, Bishop of Glasgow, and sometime a lecturer on philosophy in the University of Paris, concluded a treaty at Vincennes. Scotland was in truce with England till 1383; but Charles V. offered her 100,000 nobles of gold either to pay off David's ransom, or to be used in war against England, if the Pope would grant a dispensation from the truce. Charles would also send armour for 1000 men, possibly from the Scots Companies in France. All truces were to include both nations. These articles as to dispensation from the fourteen years' truce, and supplies from France, were secret, and perhaps not ratified. Robert, now aged fifty-five, had no desire to be fighting. The deaths of Edward III. and of the Black Prince left England in the hands of Richard II., or rather of his guardians (1377). England now had her share of the jealousies of nobles, and of popular risings, such as Scotland had hitherto escaped. The Border was disturbed by feuds of Douglases and Percies, and by the Earl of March's endeavour to recover his estates; but trade went on, and wine too bad for Southern tastes was habitually unloaded on the Scottish market.[6] The Earl of March and the Scots made Annandale valueless, and ruined Smailholme,

and several other "vills."[7] March sacked Roxburgh, and Douglas, the Warden, when appealed to by Percy, Earl of Northumberland, seems to have been tardy in making redress. In 1378, Percy reports that the English Warden of Lochmaben Castle declines to stay any longer, and that March and Douglas are making the English border unquiet. "The whole country will remove their goods." The English border castles are ordered to be repaired, and landholders bidden to reside and protect the Marches (1379). Such are the dry bones, in public documents, of fights highly picturesque and enjoyable in the narrative of Froissart. In one of these, a Warden's raid by Percy, the Scots practised a device recommended by Robert Bruce—

> "Wiles and wakening in the night,
> And meikil noise made on height."

They stampeded the horses of the English under cover of darkness, and Percy, like the generals of Henry VIII. long afterwards, may have seen the devil busy in person. The English seem to have done their best to reconcile differences and keep the Border peace. The Scottish Crown Prince and his brother, Earl of Fife (later Duke of Albany), held courts—*dies marchiarum*—for the same pacific purpose, since the king, from honour, policy, or indolence, was averse to war.[8] But the general result of these Border raids was a gradual recovery of Scottish territory (renounced to England by Edward Balliol) for Scotland. About 1380 we find English commissioners describing the losses of land during the Great Truce —the barony of Cavers (still held by Douglas of Cavers) is one cantle, also Denum (Denholm), Pencrise, Caldcleugh (Caldeclues), Wells, Myntehowe (Minto), Newton, the valley of Liddel, and part of Grundiston, with other lands near Hawick and Jedburgh. Berwick was taken twice by the Scots (November 25, 1378, December 1384). On the former occasion Percy recaptured it, but was defeated at Melrose by Sir Archibald Douglas, whose huge two-handed sword scarcely any other man could lift.[9]

Here dates are difficult to ascertain: the subject, fortunately, is not now of high importance, as only futile raids and ill-kept truces are concerned. In 1380, Lancaster (uncle of Richard II., and best known as John of Gaunt) approached the Border with an army. He was well received, and a truce was arranged till St Andrew's Day, 1381.[10] In 1381, Lancaster arranged a three years' truce, and,

being unpopular in England after Wat Tyler's rising, he accepted the hospitality of the Scottish Court at Holyrood.[11] On January 26, 1383-84, an eight months' truce, in which the Scots were to have the option of participating, was settled between France and England at Boulogne.[12]

Here the sequence of events is difficult. It is certain that the Truce of January 26, 1384, was announced to Scotland in very dilatory wise. The French envoys with the news had a safe-conduct from England on February 13, 1384, but did not arrive in Scotland till April, after an expedition led by Lancaster against that country. Lancaster, if we may believe Walsingham (a hostile contemporary), did as little harm as possible to his late hosts. About this time the Scots, under Douglas (whether the old earl, who died about this period, or his son, the hero of Otterburn), recovered Teviotdale. In mid April the accredited French envoys arrived in Edinburgh with news of the Truce of January 26. But there also arrived, at the same time, a set of adventurous French knights, who, as we shall see, took part in a great raid on England. There occurred, again, a great English raid, as far as Edinburgh, under the Percy of Northumberland and the Earl of Nottingham. In my opinion, the Franco-Scottish raid was in April 1384, and the raid of Percy and Nottingham was of May, or early June, and was retaliatory. Froissart, indeed, makes the English raid precede the arrival of the French ambassadors, and says that King Robert apologised for it, as undertaken without his knowledge. Walsingham takes the opposite view: Percy's raid was retaliatory for that of the French and Scots.[13]

We now give a few of the curious details dear to Froissart. According to him, the news of the English raid of Percy and Mowbray (which, on this showing, must have been about March 1384) reached, and delighted, some gentlemen of France, whom the outbreak of peace between their country and England had sorely saddened. As English vessels watched the southern Scottish ports, these gentlemen, led by Geoffrey de Charny, landed at Montrose. The French official emissaries to Robert II. were courteously received (as we saw), with the truce which they announced; but the Scottish nobles, notably James, the new Earl of Douglas, had other things at heart. The king was willing to accept the truce, though it came "a day after the fair," and though Scotland had been ravaged in the interval; but Douglas,

Moray, the Lindsays, and other young knights listened rather to the set of fighting French adventurers. An expedition into England, in the face of the king's policy, was decided upon. Douglas secretly summoned the French knights to Dalkeith, gave them mounts, and led them to meet a force of some 15,000 Scots. They plundered and burned the lands of Percy and Mowbray, and now scores were even, for the moment, between the two countries. Robert, a friend of peace, explained to the English court that he knew nothing of the last raid. The English, whose own conduct had not been of the most loyal, accepted the apology.

The French official emissaries brought back peace to France, but the knights-errant carried home other tidings. "You know what we can do," said Douglas to his French guests; "send us 1000 men-at-arms, and you will see marvels." The French rulers kept this counsel in mind, and acted on it, in 1385, when their truce with England expired. Then Jean de Vienne, Admiral of France, brought over "all the flower of chivalry," with many suits of French harness, such as the Scots lacked and coveted. He also carried 50,000 gold francs, for the king and the nobles. The knights "had a wind to their desire, for the month was May (1385), when the air is serene and still." None the less, Aubert de Hengest, trying to climb the rigging in full armour, fell overboard, and was drowned. The knights, when they reached Leith, were courteously received, but sadly disappointed. Edinburgh, if the Paris of Scotland, contained but some four hundred houses.[14] The knights were therefore "boarded out," from Dunfermline to Dunbar, and were not allowed to enter any castles. The Scots, hearing of this expensive arrival, began to say, "Who the devil sent for them? Who needs them? Can we not fight our own battles? They will pillage worse than the English. Suppose the English do burn us out, a few beams and branches will rebuild our houses in three days." We seem to hear the accents of the genuine Scottish grumbler.

Froissart calls the Scots *rudes gens et sans honneur certes:* so poor that iron for horse-shoes, and leather for bridles, can scarcely be obtained. "Things come ready made to them from Flanders, and, when that fails, they have nothing."[15] When these barons and knights of France, who had looked for fair houses, halls adorned, castles, and good soft beds, found themselves in such poverty, they began to laugh, and said, "What kind of a country has the Admiral carried us to? Verily what our fathers and mothers prophesied is

come true, 'You will have hard beds, and ill nights, if you live long enough.'" The Admiral answered that they could not expect always to have the comforts of Paris, Dijon, or Beaune. Meanwhile the honest French gentlemen found that nobody called on them—the Scots gentry not loving to make new acquaintances. *Il en étoit si petit visité que rien.* Only Douglas and Murray ("Mouret") displayed the celebrated hospitality of Scotland. When the French wanted to buy a horse, value ten florins, they had to pay sixty; and when they had got a horse, they could not get harness. When the *varlets* foraged, they were beaten or even slain by the farmers,—more than one hundred fell in one month. Froissart, who gives us these highly characteristic national traits, had no prejudice against the Scots. He invariably extols them as fighting men, and honourable knights in war. But they are envious, jealous, poor, grudging, and savagely independent. To be sure, we shall find that the Scots archers were not one whit better loved in France; and, as to their plundering of nobles and peasants in that country, their feats are minutely recorded. The Scots fought for France rather in the way of professionals; the French, in Scotland, looked for no reward but the pleasure and renown of knightly deeds. In France a Scot might win gold and lands; in Scotland a Frenchman was cheated in horse-couping, and was not allowed to plunder the peasants at his will. On the other hand, we find, in the Exchequer Rolls, that the Earl of Carrick, returning from the child-marriage of David Bruce, did some damage to "a certain poor woman of Musselburgh," who received, by way of damages, ten bolls of meal.[16] Against a notable churlishness of manners in Scotland, we must certainly set this exemplary regard for the rights of the poorest Scottish subject.

The French gentlemen were to see some sport after all. The king, "a tall *bon homme*, with eyes so bloodshot that they seemed lined with cloth of scarlet," gave leave for an invasion in force. Froissart says that 30,000 men were collected. Roxburgh Castle they did not take; but Wark Castle was stormed, mainly by the gallantry of the French. At Morpeth news came of Lancaster's advance, to the joy of the French knights. But the Scots had no idea of risking a battle. They withdrew northward, and the more readily as Richard II. was coming up with 7000 men-at-arms and 60,000 archers. He gutted Melrose Abbey, and burned at

large, so that de Vienne asked Douglas what he waited for? A thousand French knights had been called for, and they had come, the flower of chivalry,—now was the time to win renown. Douglas explained that all England was emptied to supply Richard's army; but he would, at least, take the Admiral where he could view the Southern host. Beholding that glorious array, and looking at the 2000 lances of Scotland, and the 30,000 ill-armed footmen, the Admiral admitted that a battle should not be risked. The English were therefore left to harry an empty land, while the French and Scots, on the west, invaded Cumberland. Richard pushed north; he failed before Stirling, but plundered as far as Aberdeen. So at least Froissart declares: he is not supported by the Scottish and English chroniclers.

The two expeditions were useless and wasteful. French men-at-arms were really of little service to a nation whose policy it was to evade battle in the open field. The French knights, when anxious to go home, were treated worse than ever, were hardly allowed to depart, and only received permission when the Admiral was left in pawn for their debts and damages. So ended (1385) a moment in the Ancient League on which the Scots cannot look back with much pride or pleasure. Indeed, French forces landed in Scotland, and French officers commanding there, were never well received, nor willingly followed, down to 1746. The Scots practised a guerilla, the French a formally chivalric, mode of war. They could not send men enough to meet the English on their own ground, and the heavily armed knights whom they did send were of little use in a hasty Scottish *camisado*. Culloden was fought, it is said, because the prince's French officers could not endure a mountain campaign of the old sort. Thus, to the very end of the Ancient League, Scotland could help France best by men, and France could best help Scotland by gifts of arms and money.

The story of raids which succeeded, and resembled each other, can only be made interesting by the pen of a Scott or a Froissart. We might expect the marchmen of both countries to have hated each other with a deadly hatred, but they plainly regarded mutual outrages as things resembling a mere game at football. When Richard II. invaded Scotland in 1385, he bade the Percies, Nevilles, and Cliffords bring 2000 men. But it was stipulated that two-thirds of these should be strangers to the Marches. Otherwise they would not fight in earnest.[17] The marchmen were not so

much fighting, as playing a rough kind of game in a friendly way.

When the French knights returned to Southern Scotland, after Richard had wasted it, they found the natives taking a humorous view of their case. The Scots harried Cockermouth, which, it occurred to them, they had not raided since good King Robert's days. They were well rewarded. Between 1385 and 1387, the wardship of the East Marches had passed from the Nevilles to Henry Percy, "avec grand' envie, haine, et indignation, l'un sur l'autre," and all this, with the feuds of Richard and the Lords Appellant in England, "the Scots knew well." They laid a scheme to meet on the Border, which they concealed, Froissart says, from the old king. They met at "Zedon" (Yetholm?) with all the flower of their chivalry. They numbered 12,000 lances, 40,000 footmen, and had archers. But the Scottish archers carried sperthes, or axes, as at Bannockburn, and disdaining the missile weapon, loved to come to close quarters. It was "magnificent, but not war," as they often found to their cost. The contempt of the bow and arrow is as old as Homer, yet these weapons won the victories of England. Nothing, not even a parliamentary denunciation of golf, could make the Scots practise archery. The English, who employed minstrels as spies, knew all about the secret expedition. Their purpose was to enter Scotland by east or west, according as the Scots took the opposite road. An English gentleman even stepped into Yetholm Church, as a spy, while the Scots were deliberating there. Having heard their plans, he went to a tree where he had tethered his horse. He should have known the Scots better! Horse he found none, nor did he dare to complain, but walked off booted and spurred. He was observed, and his eccentric behaviour aroused suspicion. He was dragged before Douglas, and, to save his life, told what he knew of the English designs. On this intelligence, the main Scots force entered England by way of Carlisle, while Douglas, Mar, and Murray led 3000 lances, and 2000 foot, towards Newcastle, ravaging the bishoprick of Durham. Beholding the smoke of their fires, Northumberland rested at Alnwick, sending his sons, Hotspur and Ralph, to Newcastle. Having stormed through the land, Douglas, in a skirmish at Alnwick, made prize of Harry Percy's pennon, promising to erect it above "my castle of Dalkeith."[18]

Percy replied that Douglas would never carry it out of Eng-

land, and was thereon bidden to come and fetch it. Next day the Scots decamped; on the third day they halted at Otterburn. Douglas insisted on waiting, and assaulting the castle there, that Percy might have a chance to recover his flag. The Scots fortified their camp, which was also surrounded by morasses. Hotspur got news of them, and called "To horse," so set off with 600 lances, and 8000 archers. After nightfall, the English attacked the footmen and *varlets* at the entrance of the Scots camp, pressing on with cries of "Percy!" The resistance at this point gave the Scots time to arm, for it was a fair moonlit night of August, *et si c'était l'air coi, pur, et net*, says Froissart, himself a poet. By a prearranged scheme, the Scots went round the marsh, and behind a hill, and so fell at an avail on the English. Percy's men resisted stoutly, but Douglas sent forward his banner, crying his slogan, which the Percies answered with their own cry. There Douglas's banner would have been taken, but for the valour of the two Hepburns. Froissart, who knew the Scots, says that when they and the English meet they fight while steel holds, then the winners lightly ransom their prisoners, thanking them for a good passage-of-arms. Never, cries the foreign clerk, was there nobler fight than this of Otterburn! Men were so mingled in the mellay, that the archers held their hands lest they should shoot their own party. The banners met, swords and axes were at work, but the sheer weight of the English numbers was driving back the Scots. With a two-handed axe Douglas felled a path through the swaying mass of steel. But now three lance-points struck him on shoulder, breast, and thigh, so that he was borne to earth, a few of his men fighting above his body, not recognised by the English, who rushed to the side where March and Dunbar were engaged. Meanwhile Sir John Maxwell took Ralph Percy, whose wounds were stanched on the spot. James Lindsay and John and Walter Sinclair had come up to the dying Douglas, over whose body his chaplain was fighting with an axe; he was William of North Berwick. "How is it with you?" John Sinclair asked Douglas. "Ill; but few of my fathers died in their beds. Raise my banner,"—with its bearer it had fallen,—"cry 'Douglas!' and tell not where I am to friend or foe." The Scots gathered to the cry of Douglas, and drove back the English, Montgomery taking Henry Percy, and many other knights were taken, "for Scots and English are courteous enemies, not like the Germans." Douglas

was buried beneath his tattered banner, in Melrose Abbey.[19] Such was the battle of Otterburn, a great tournay by moonlight, the source of our most famous ballads (August 15, 1388).[20] Twice, when either in great sickness or actually close on his death, Scott quoted the lines—

> "My wound is deep—I fain would sleep—
> Take thou the vanguard of the three,
> And bury me by the bracken bush,
> That grows on yonder lily lea."[21]

Next year, the king being old, his second son, Robert, was made Governor, for the eldest prince was in bad health. There was also arranged a three years' truce. The State Papers are full of safe-conducts for Scots knights to come and do feats of arms against English tilters. In 1390 died Robert II. Had David II. not been born, this king, succeeding in his youth, might have left an honourable record. But he was outworn by years and toil before he came to the throne, and, as we have seen, he left business to the magnates, and mainly to his second son, Earl of Fife, and Duke of Albany. That prince held the same anomalous position under his brother, by throne-name Robert III.

With the reign of Robert III. (crowned August 14, 1390) begins the hereditary tragedy of the Stuart kings. No divinity hedged them then. They were but nobles of the common Scoto-Norman type, risen to the throne by a marriage which might as readily have fallen to a Douglas, a Drummond, or a March. The Stuart character, the Stuart ill-luck, have been attributed to their alleged Celtic blood. They had no more of that blood than the kings of England; the drop inherited from Malcolm Canmore is common to both Royal Houses. The new king was crippled by "sickness of body," in part the result of an accident. He could not ride about the distracted country, nor lead armies. His brother, Fife, had already tasted of power as Governor. His son, David, soon created Duke of Rothesay, was handsome, popular, charming with the charm of recklessness, ambitious, wild, wilful,—a type of Prince Charles before his day. Between him and his uncle there could be no peace. The nobles had become all but independent princes: the king makes special leagues, or "bands," with them for mutual support, adding pensions in money. If the revolution which overthrew Richard II. and placed Henry IV. on a shaken throne partly relieved Scotland from English pressure, the Highlands became a

source of danger under the Lord of the Isles. The strife of the king's brother and eldest son ended in the mysterious death of the prince. Then came the capture of the prince's next brother, James, perhaps in time of truce. Robert III. died, his heart broken; he had cried "peace" when there was no peace, and wasted on a wanton age qualities which are admired in constitutional princes. Such is a brief summary of the career of one who reigned but did not govern.[22]

There was peace with England while Richard II. reigned—that is, till 1399. Fife was still Governor, till the remarkable Parliament of January 1398-1399, which put in his place, for a few years, the hapless Duke of Rothesay. The interest of the reign of Robert III. shifted occasionally from the Border to the Highlands. The Celtic clans—"Katherans"—had been ravaging the northern Lowlands in 1385, and no marvel, for Alexander, son of Robert II., was at once Justiciary there and Wolf of Badenoch.[23] He lost the Justiciaryship in 1389, and used his increased freedom and lessened responsibility to burn Elgin Cathedral in 1390. He was at feud with the bishop. Alexander's bastards *hurlaient avec les loups*, and were in prisons often. One of them, Alexander Stewart, after the murder of Malcolm Drummond (brother of the queen, and husband of the Countess of Mar), wedded the Countess, more or less by force, and so became Earl of Mar. We shall meet him leading the Lowlanders at Harlaw against a Highland invasion. The Celts again began to be troublesome in 1391 or 1392. With Duncan Stewart, a bastard of the Wolf's, at their head (or perhaps with his brother Alexander), the caterans invaded the Braes of Angus, and slew Walter Ogilvy, the sheriff, with many of his men. In this battle a Highlander, speared by David Lindsay, writhed up the spear-shaft, and cut through the knight's boot and stirrup-leather to the bone—a good blow—and died in that stroke.

The Wolf's sons in this affair were, of course, Stewarts: there were also Duncansons, of Clan Donnachie; there was "Clanqwhevil," and many others of the Wolf's retainers. This "Clanqwhevil," according to Mr Skene, is the first clan mentioned as such in our records.[24] We saw an earlier example under Edward I. in Galloway. The Wolf, after burning Elgin Cathedral, and otherwise deserving his title, died between 1398 and 1406.[25]

In 1396 was fought the Battle of Thirty Highlanders on each side on the Inch of Perth. The combat is not legendary: the

expenses of the lists are recorded in the Exchequer Rolls. The romantic aspects of the affair are too well known to be retold. Wyntoun, a quarter of a century later, calls the contending clansmen "Clahynnhé Quhewyl" (Clanqwhevil) and "Clachinyha." Their chiefs were "Schir Ferqwharis and Cristy Johnesome." Bower, writing much later, gives Scheabeg (Scha?) and his kin, who were called Clan Kay, and places Cristy with Clanquhele. The author of the 'Liber Pluscardensis' (1461) varies. Conceivably Clan Quhele[26] are Clan Chattan (Mackintoshes, Shaws, Davidsons, and so on), and the other side may have been Camerons, for these old enemies were certainly at feud thirty years later.[27] Probably they fought about lands in Lochaber, the original seat of both confederacies; but the real causes of the fight are obscure, and its chief result was the romance of 'The Fair Maid of Perth.' Possibly the Highlanders were the main causes of the woes denounced by the Parliament of Stirling in 1397. We hear, however, of "horrible destructions, herships, burnings, and slaughters commonly done through *all* the kingdom."[28] In January 1398-99, a Parliament met at Perth. They complained, in uncourtly wise, of "the misgoverning of the realm, and defect of keeping of the common law. This should be imputed to the king and his officers. And therefore if it likes our lord the king to excuse his faults, he may at his liking let call his officers, . . . and accuse them in presence of his council."[29] The heir to the crown, David, now Duke of Rothesay, as his uncle of Fife is now Duke of Albany, is appointed (1399) to be the king's lieutenant for three years, owing to the "sickness of the body" of the monarch. His uncle Fife is to be his adviser.[30] He is to keep an eye on all malefactors, and especially cursed men, heretics, at the request of the kirk to restrain them. He is to meet the English ambassadors to treat of peace. Albany lost money, his salary, as well as power, by this change of authority. But the excesses of Rothesay, who threw over the daughter of March in favour of the daughter of Archibald, Lord of Galloway, third Earl of Douglas, and exacted customs by kidnapping a custom-house officer who had already paid, soon gave Albany his revenge.

The overthrow and death of Richard II., in 1399, was a shock to Scottish sentiment. We need not discuss the story of Richard II. appearing (after he was thought dead and buried) in Islay, of all unlikely places. The deaths of deposed kings were often followed by such *revenants*. "The Mammet of Scotland," the

false Richard, was kept in hand by Albany, as a card which might be useful. He can hardly be called a Pretender—he was idiotic—but pretences were made in his name.[31] His successful rival, Henry IV., had to welcome March, who fled the country on Rothesay's insulting marriage, and became Henry's man, while Douglas laid his hand on March's estates.[32] Henry had grievances against Scotland. The Marches had been raided in the old way, the country was in alliance with France, and fostered the "Mammet" who was spoken of as Richard II. We find Henry IV. granting safe-conduct to March, on August 2, 1400. On August 7, at Newcastle, he is "exhorting the dukes, earls, and other peers of Scotland, to do him homage and fealty in person, at Edinburgh, on Monday, the 23rd."[33] Henry crossed the Border, and, at Leith, on August 22, summoned the Scottish king. Henry declined a chivalrous challenge from Rothesay. The Duke, for "the sparing of Christian blood," offered to settle the old feuds on the principles of the battle fought on the Inch of Perth. One, or two, or three hundred Scots nobles, would meet as many English in the lists. This proposal certainly suggests that the recent clan-fight at Perth may have been a chivalrous ordeal, in settlement of quarrel, such as was practised by the Argives and Spartans. Henry tartly replied that blood must flow in any case, and he did not see that Rothesay should take a distinction between "noble" and Christian blood.[34]

Rothesay held Edinburgh Castle gallantly, though Henry's men were well provisioned, with luxuries even, such as lampreys and porpoises.[35] Albany, who had assembled a large force at Calder Moor, risked no battle, wisely perhaps, and Henry returned from the last bootless invasion which an English king ever led over the Border. He spared religious houses, and did not pillage the land. The rumours of a Welsh rising under Shakespeare's Owen Glendower may have hastened his departure. Rothesay's term of three years' government was now running out, and with it his life. His mother and his father-in-law, Douglas, were dead before the end of 1400. The circumstances of his own death, familiar to all from 'The Fair Maid of Perth,' are as obscure as in the case of Richard II. It is certain that, in a Parliament held at Holyrood, Albany and Douglas (the fourth Earl, who succeeded his father at the end of 1400) are acknowledged to have arrested Rothesay by the king's permission, and are cleared of

having had any hand in his taking off.[36] His death is declared to have been natural. This very document, of course, proves that Rothesay's captors were publicly suspected of his destruction. He was seized at Strathtyrum, later the seat of Archbishop Sharp, on the fringe of St Andrews links; was warded in the castle of the bishop (Trail, then recently dead); was hurried to Falkland on a day of storm, and there expired, as was said, of dysentery. Boece gives the horrible details which Scott wove into his romance; Wyntoun says nothing against Albany. But Wyntoun praises both Rothesay and Albany with pious discreetness. It is observed that Douglas, whose sister would have been queen had Rothesay lived, was not interested in his destruction. On the other hand, we find Albany paying to John Wright, one of Rothesay's jailers, a sum of £108, from the customs. This was so late as 1412, and need not be blood-money, or black-mail. The real weight of the charge against Albany is the coincidence between Rothesay's imprisonment and decease. Among the unnumbered sorrows of the Stuart kings, the grief of Robert III. must have been the sorest, for he cannot but have misdoubted that he was impotently condoning the guilt of the murderers of a beloved son.[37]

Albany was now Governor again. The Border wars went on: and the Scots were defeated at Nesbit Moor, in the Merse, by Percy and the son of the renegade March. Douglas, with Murdoch, Albany's son, collected an army to avenge this disaster, and pushed, with 10,000 men, as far as Newcastle. Henry IV. was engaged in Wales, and Northumberland, with Hotspur, pursued the Scottish in retreat. They found the enemy posted on Homildon Hill, near Wooler, in a dense clump of spears. The archers of England, from the valley, simply used the Scottish mass as a target. Hotspur would fain have charged, but March made him pause, and leave the bow to win the battle. Sir John Swinton was leading a forlorn-hope of cavalry, when his deadly foe, Adam de Gordon, moved by admiration, begged Swinton to be reconciled, and to dub him knight. The accolade was given, embraces were exchanged, and the two knights fell in the thickest of the English ranks. Douglas charged too late, and, wounded with arrows in five places, was taken prisoner, with Murdoch, son of the Duke of Albany, Moray, and Angus. Ramsays, Gordons, Scotts, Sinclairs, were among the slain. The English cavalry, hitherto not engaged, pursued the routed Scots. Only five Englishmen fell.[38] Otterburn

was effaced, and the revenge of March and Percy was fed full.[39] Henry IV., on receiving news of the day, forbade the winners to ransom their captives till they received permission from himself. The Percies at once conceived the idea of a rebellion, which they disguised by a march towards Scotland. The feigned siege of the Keep of Cocklaws seems to have been meant to bring Albany to its relief, when the Scots and Percies would join forces, and invade England. Douglas and the other prisoners of Homildom entered into the scheme: Percy and Douglas left Cocklaws, and marched to join hands with Glendower. But the Earl of March had revealed the plot to Henry, who met the Northern forces at Shrewsbury. Here Prince Henry (Henry V.), Douglas, and Percy fought with distinguished valour; but history says nothing of a fat knight whose fame is more deathless than theirs. Hotspur was slain by a man who drew a bow at a venture: his army fled, Douglas was again a prisoner. Albany reached Cocklaws only in time to hear of the defeat at Shrewsbury. The Scots pleased themselves by reflecting that dead Hotspur's quartered body was impaled where *he* had placed the limbs of Sir William Stewart, executed by him as a traitor after Homildon. These extraordinary events show that tendency of Northern England to unite with Scotland which may be traced here and there in history. But chivalrous rancour, rather than policy, was the cause of Percy's expedition.

In Scotland, the king entrusted his oldest surviving son, James, to Henry Wardlaw, Bishop of St Andrews, and founder of the university. The bishop's castle, hard by the cathedral, was a place of great strength, and the young prince could nowhere be in safer hands. From England came, for refuge, the old Earl of Northumberland, with his grandson, Henry: they were involved in a vast conspiracy, which was revealed to Henry IV. by the Earl of Westmoreland, a kinsman and friend of the Earl of March. Now Albany, it is alleged, had laid a scheme to give up old Northumberland and Percy, in exchange for Douglas, and for Albany's son, Murdoch, taken at Homildon. This plan was divulged to the Percies by Sir David Fleming, whence the Douglases held that knight at feud. The Percies made their escape, and Fleming, with some Lothian barons, conducted young Prince James from St Andrews to North Berwick, whence he set sail for France, there to be educated in safety. There was (the Scots held) truce between England and Scotland, nevertheless James was taken at sea,

and confined in the Tower, 1406.[40] About the same time, February or March, Fleming, with his companions, was set on by Douglas's second son, and slain at Lang Hermandston. The news of James's capture reached the king in Bute, who did not survive it many days (April 4, 1406). His cup had long been full: now it brimmed over. A kind, blameless, and charitable man, Robert was not of kingly stuff. Of him, as of almost the latest of his lineal successors in sorrow, might be said—

> "He wrought no wrong, he knew no guilt,
> No laws had broke, no blood had spilt."

But by nature he was incapable of coping with men and circumstance, and his heart was smitten through his children. More than three hundred years later the same tragedy, in the same house, was placed on the human stage.

It has been said that history condemns Albany on suspicion, and can produce no positive evidence against him. But negative evidence is offered. Mr Tytler avers that Albany (Regent, henceforth, till his death) never made any request for the young king's release, while he laboured for the release of his own son, Murdoch. What diplomatic steps Albany could have taken, we may conjecture at. An appeal to the Pope might have been tried, but to which Pope? In fact, Mr Tytler is wrong: the expenses of emissaries sent to negotiate for James's deliverance occur in the Exchequer Rolls, as in March 1406-1407; but the release of Murdoch is only once mentioned in these records.[41] In 1409, the Earl of Orkney was sent, in James's interest, and Orkney had been with James on board the vessel in which he was taken. He was, therefore, probably a sincere well-wisher, who would do his best for the king. Many years passed before Albany could secure the release of his own son, and a king was much more expensive to ransom, and much more tightly kept in hand. No less than 50,000 marks were asked for Murdoch's ransom, through a diplomatist named Bugge.[42] Meanwhile Douglas, still unransomed, had been coming and going to and from Scotland; thirteen noble hostages were held as security for him. He at last declined to reappear in England, though he had become Henry's man against all mortal, except King James (1408). At the same time March was reconciled to Albany, and received his earldom again, Douglas keeping Annandale and Lochmaben Castle. Peace

was kept with England, and there was abundant intercourse between the countries in commerce, devotion, and exercises of chivalry.

It is always curious to observe the beginnings of great changes in human affairs. At this date the wedge had been driven into the stately edifice of the Church and of Feudalism. The Great Schism was shaking the faith of men, who saw two, or it might be three, competing Vicars of Christ. Wycliffe's tracts and his version of the Bible were being eagerly read in England. The wealth of the Church was attracting envious eyes. In England, as in France, misery had driven the peasants into the bestial revenge of the Jacquerie. All these influences produced *Lollardy:* not exactly a doctrine, not strictly a sect, but a name covering various forms of social discontent, and of religious heterodoxy. The strict doctrine of the Eucharist was denied, or explained away; property and marriage, no less than the sacrament of confession, the merits of relics, and pilgrimages, were denounced. Socialism, Protestantism, free love, and many other "modern" ideas, were in the air, partly in consequence of popular study of the English Bible. The poem of 'Piers Plowman,' the agitations of John Ball, the confessions and retractations of Lollards, contain evidence that the new seed was widely sown. In England, political causes, especially the necessities of John of Gaunt, had favoured Lollardy: a petition in favour of confiscating monastic property was before Parliament in 1395. We have seen the Scots Parliament insisting on the repression of heresy, in accordance with the Coronation Oath, in 1399. In 1407, one John Resby, an English priest, was cited for heresy before Laurence of Lindores, a Dominican, and one of the initiators of the University of St Andrews.[43] His errors are given by Bower: they were of the usual anti-Papal and anti-feudal kind. After refuting Resby, Lindores had him burned at Perth in 1407. His ideas, says Bower, writing about 1445, continued to be secretly cherished: and his embers kept heat in them till the age of the Reformation.

The years following 1407 were marked by such isolated enterprises as the taking of Jedburgh Castle by the Scots; of Fast Castle by the son of the Earl of March; and the raiding of Lothian by Umfraville with an armed fleet. In 1411, the Celtic element again disturbed the country. Of the Highlands little has here been said since Bannockburn, when the Islesmen helped to win the great national victory. Nevertheless, the Celts, as a whole, were nothing less than sturdy maintainers of Scottish independence. They lived

Comyn, Gloucester, Clifford, Harcourt, Courtenay, and seven hundred other gentlemen of coat-armour were slain.[67] Hereford, (later) with Angus, Umfraville, and Sir Thomas Grey were among the prisoners. Stirling, of course, surrendered.

The sun of Midsummer Day set on men wounded and weary, but victorious and free. The task of Wallace was accomplished. To many of the combatants not the least agreeable result of Bannockburn was the unprecedented abundance of booty. When campaigning Edward denied himself nothing. His wardrobe and arms; his enormous and, apparently, well-supplied array of food-waggons; his ecclesiastical vestments for the celebration of victory; his plate; his siege-artillery; his military chests, with all the jewellery of his young minion knights, fell into the hands of the Scots. Down to Queen Mary's reign we read, in inventories, about costly vestments, "from the fight at Bannockburn." In Scotland it rained ransoms. The 'Rotuli Scotiæ,' in 1314 full of Edward's preparation for war, in 1315 are rich in safe-conducts for men going into Scotland to redeem prisoners. One of these, the brave Sir Marmaduke Twenge, renowned at Stirling Bridge, hid in the woods on Midsummer's Night, and surrendered to Bruce next day. The king gave him gifts, and set him free unransomed. Indeed, the clemency of Bruce after his success is courteously acknowledged by the English chroniclers.[68]

This victory was due to Edward's incompetence, as well as to the excellent dispositions and indomitable courage of Bruce, and to "the intolerable axes" of his men. No measures had been taken by Edward to secure a retreat. Only one rally, at "the Bloody Fauld," is reported. The English fought wildly, their measures being laid on the strength of a confidence which, after the skirmishes of Sunday, June 23, they no longer entertained. They suffered what, at Agincourt, Creçy, Poictiers, and Verneuil, their descendants were to inflict. Horses and banners, gay armour and chivalric trappings, were set at nought by the sperthes and spears of infantry acting on favourable ground. From the dust and reek of that burning day of June, Scotland emerged a people, firm in a glorious memory. Out of weakness she was made strong, being strangely led through paths of little promise since the day when Bruce's dagger-stroke at Dumfries closed from him the path of returning.

Everything now went well with Bruce. Stirling Castle he dismantled; Hereford, who had taken refuge with Hamilton in Bothwell

the mailed knights being surrounded by the Highlanders as by a sea. The flower of the Northern Lowlands perished; Mar himself was hurt.

"The coronach's cried on Benachie,
And doun the Don, and a',
And Hieland and Lawland may mournful be
For the sair field of Harlaw."

Neither side, perhaps, could claim superiority, but—*Donald did not sack Aberdeen.* He and his Celts had got their fill, and plunder could not allure them ten miles forward. Morning broke on an empty field: the clans went home, and the historians of Clan Donald proclaim a triumph![44] The battle of Harlaw is, perhaps, overrated when it is called a strife for Celtic or Lowland supremacy in the north. But it proved that Scotland could be stabbed, as it were, from behind, by the Celtic pensioner of England. Albany therefore led a force to Dingwall, which he garrisoned, and next year at Polgilb (Lochgilp in Knapdale) he received the submission of Donald of the Isles.[45] Whether Donald in his raid of 1411 expected English assistance, or not, must remain uncertain. At the very time when he was marshalling his forces at Ardtornish, his chaplain received an English safe-conduct for a year, "to come to the king's presence and return, as often as he pleases."[46]

In the same year Albany began to make great efforts for the release of his son Murdoch. In 1412, a truce was concluded with England, and the death of Henry IV., in 1413, left Henry V. with his hands full of French projects. About February 1415-16,[47] Henry V. released Murdoch of Albany from the Tower, and a distinguished Scottish embassy, including Murdoch, came to England, in the interests of the captive king, in the summer of 1416. Among them were the Earl of Athol, descendant of Robert II. by his second wife, and the Bishops of Glasgow and St Andrews. At this juncture, or early in 1416, there exists a sheet of drafts of letters written, or dictated, by James at Stratford Awe, supposed to be Stratford-on-Avon. They were carried by John Lyon, James's chapiain. James addresses Albany, asking why his letters, pleading for his release, are never answered. "Therefore us ferylis nouch little,"—"ferylis" meaning "marvels." He also reminds Douglas that he has often stirred him up to make Albany labour in his cause. The delay in his deliverance "stands only in them that should pursue for us"—namely, Albany. To Graham he says that he must seek some

other help, if "his most loved uncle of Albany" will not aid him. Perhaps Albany could not help James, but he might have answered his letters. The documents prove that James, justly or unjustly, resented Albany's behaviour. They are written in Scots, which (as James either dictated or wrote them) proves that he kept up his native dialect, and was perfectly capable of writing in the speech of the 'King's Quair.'[48] James was still to linger in prison, and, if he suspected that Albany's intrigues defeated the effort to free him (which he obviously did), parts of his later conduct will become intelligible. Yet to release James was not easy. It is true that Murdoch was exchanged for young Percy, but Henry V. would not regard Percy as an adequate exchange for the king. Albany, as usual, is suspected, but nothing can be proved against him. He had seized the occasion of Henry's absence in France to make the Foul Raid, a ludicrous failure, heavily avenged.

Albany died in 1420. His policy was to ally himself with Douglas, and to overlook the growing excesses of the nobles. These displayed themselves not only in feuds, fires, and murders, but in the practice of robbing the customs. Albany was averse to imposing taxes, for reasons of popularity, and Douglas, with other lords, took from the collectors of customs just what money they pleased, the pretext being their own expenses in ruling the Borders, making raids, and holding March-days. It is fair to add that Wyntoun, who had nothing to gain by flattery, gives Albany an excellent character, public and private. The result of Albany's, and of his son Murdoch's, Regency was a state of disorder which James later tried to subdue, as we shall learn. But Douglas and the Scots were now to find a new field of glorious action. In 1420, according to the author of the 'Book of Pluscarden,' a contemporary witness, the Dauphin (Charles VII.), sent envoys asking for a Scottish auxiliary force. A Parliament was held, and John, Earl of Buchan, Albany's son, with Archibald, eldest son of the Earl of Douglas, and Sir John Stewart of Derneley, cousin of the Earl of Buchan, led to France a large force, variously reckoned at 10,000 or 7000 men. Henry V. replied (July 1, 1420) by commanding James to join him in France, at the siege of Melun. James bought a grey horse (£9) and laid out £42, 6s. 8d. on arms and banners. The Earl of Douglas was already an ally of the Duke of Burgundy. He now bound himself to serve Henry V. with an armed force, presumably by way of making favourable terms for

James. The common spectacle, in Scotland, of a son in one camp and the father in another, would have been witnessed but for the death of Henry V.

Before that event, the Scots in France had covered themselves with glory. They were quartered on the Loire, and, like the French in Scotland, were highly unpopular. "Tugmuttons" and "wine-bags" were their current nicknames. The battle of Baugé was their reply, their greatest victory on French soil, which may almost rank in splendour with Bannockburn (1421). According to the author of the 'Book of Pluscarden,' who resided much in France, the Scots were treacherously attacked while playing football during a truce. Bower merely says that the Duke of Clarence, brother of Henry V., attempted to surprise the Scots, who had the famous knight La Hire in their company. Stewart of Derneley, reconnoitring with a handful of horse, met the English, and gave the alarm. Buchan despatched Stewart of Railston to hold the river passage; Clarence came up, with banners displayed. There was a fight on the narrow bridge, and Sir Hugh Kennedy's men, who were in church, heard the din, and ran to the aid of their countrymen. Clarence, however, cleared his way, on foot; but, before all his army could cross, was pierced by Swinton's spear, and felled by the axe of Buchan. But, says our Pluscarden author, Clarence's circlet of gold was brought into camp by Alexander Macausland, a Highlander from the Lennox, and this spearman may have been the real slayer of the English prince. John Kirkmichael, later Bishop of Orleans, is also credited with wounding Clarence. Sir John Stuart took the Earl of Somerset, John Sibbald took the Earl of Huntingdon: many other nobles were taken or slain. Some two thousand English fell, and the loss of the Scots and French was very small. The English archers did not come into action, and their army was defeated, as at Stirling, in consequence of Clarence's rash advance over a bridge, which his forces could only cross slowly, being cut up in detail.

The victory had no great strategic results, but it was the first turn in the tide, and greatly encouraged loyal Frenchmen. The death of Henry V., at Paris, on August 31, 1422, was also opportune for France. The Scots decided that Henry died because his men had plundered a shrine of St Fiacre, who "is held to be the son of a King of Scots." "A cursed people, the Scots: wherever I go, I find them in my beard."[49] This bearding of English kings was the result of the policy of Edward I. and his successors. The Scots,

despite their victory, were the themes of popular complaints, in France, which accused them of every kind of extortion, *chacun nous a plusmé*.[50] Buchan, however, was now made Constable of France, and Stewart of Derneley, Constable of the Scots in that realm. In 1423, the Scots were defeated at Crevant, and all but exterminated at Verneuil, in 1424. They had bad luck, in the shape of the Earl of Douglas, Tineman the second, the ever-defeated man of Homildon Hill and Shrewsbury. Buchan had brought Douglas from Scotland, in 1420, with 10,000 men. He received the Duchy of Touraine. On August 17, 1424, he fell at Verneuil, with Buchan, many lords, and almost the whole of the Scots contingent. Jealousies between the Scots themselves, and the Scots and French, are offered as an excuse for the defeat in which the Duke of Bedford avenged his brother Clarence. Lose or win, the cause of French freedom was a noble cause in which to die.

These melancholy events occurred after the release of James I. Negotiations for this had been going on through 1423, the Earl of March, son of the renegade, being one of the ambassadors. James was released on March 28, 1424. He was to pay £40,000 "for his maintenance in England,"—so the ransom of a prince foully seized was disguised,—and was to marry a noble English lady. James had lost his heart to Jane Beaufort, daughter of the Earl of Somerset, who was son of John of Gaunt. The story of their wooing, how James beheld the lady from his prison window as she walked in the garden, is taken from the poem attributed to him, the 'King's Quair.'[51] James was met, at Durham, by Douglas's son, the Earl of Wigton, Herbert Maxwell of Caerlaverock, Duncan Campbell of Argyll, Hugh Frazer of Lovat, the Earl of Crawford, the Earl of March, and many other representatives of famous houses. Hostages were chosen as security for James's ransom, which was never paid, and many of these, says Bower, died in England; many others, yet living when Bower wrote, are never expected to return. This circumstance could not add to James's popularity.[52] James and his queen were crowned at Scone, and a new age began.

The long captivity of James was not, perhaps, a misfortune with no counterbalancing advantages. Had he succeeded on his father's death, he would, indubitably, have been seized and fought for, like other royal minors in Scotland, by Douglas, Albany, March, or whoever had the power. His education might otherwise have been fairly conducted in Scotland. We know that letters, as then understood, were not neglected. A more laborious historian than Fordun

has seldom lived. He travelled on foot to England, Ireland, and every university and monastery where documents and chronicles might be found, conversing with other historical students.[53] The list of authorities cited by this learned man is curious as an example of the erudition of his age. Through what channels he got at "Erodotus" we do not know. He also quotes Ennius, Ptolemy, Sallust, Seneca, Suetonius, and Virgil, besides English chroniclers, Augustine, Tertullian, and other Fathers. His continuator, Bower, deals much in Biblical quotations, and tells a very good ghost-story, but he is prolix and pedantic. Wyntoun, the Prior of St Serf's, is valuable for his example of early Scots, and for a trace of the critical spirit, displayed in his wrestlings with the feigned early genealogies of Scots and Picts. Learned Scots visited not only Oxford, but Paris (where the Scots College was founded in 1326): there they often held high university place, and the fame of Michael Scot was European. At home, moreover, James might have profited by the new University of St Andrews: it was founded, with Papal Bulls, by Henry Wardlaw, James's old tutor, in 1413. The Pope was Benedict XIII., Peter de Luna; but we can scarcely call the university grateful. In 1416, Harding, by desire of Albany, defended the cause of this Pope, or Anti-pope. Then began the first recorded battle of this pugnacious university. "Contra Robertum Harding tota Universitas Sancti Andreæ insurgebat." The Rector of the University, John Elwold (Elliot), proved Harding's ideas to be "scandalous," seditious, probably heretical, and certainly ruinous to the unity of the Church," as Martin V. had been elected Pope by the Council of Constance.[54]

From the little that we know of the early university, it was mainly concerned with theology and philosophy. James's education must have included the *belles lettres* of France and England,—the poems of Chaucer, the French romances and lyrics. He was also skilled in knightly exercises, he had seen war under a great leader, Henry V. He had imbibed the Lancastrian orthodoxy, and the ferocity of kings accustomed to quench rebellions in blood. The English constitutional methods he had carefully observed, and was to try, vainly, to imitate the English representative system. It is probable that his dislike of the house of Albany had been fostered by what he saw of his fellow-prisoner, Murdoch. It is certain that he came into the feudal anarchy of Scotland with the fresh eye of a stranger, and with long-cherished ideas of reform and revenge.

NOTES TO CHAPTER X.

[1] Robertson, Scotland under Her Early Kings, i. 184, note. By an odd coincidence, Allen was the real family name of the two last Pretenders to be Royal Stuarts.

[2] Burnett, Exchequer Rolls, iv. cliv.

[3] Cf. Andrew Stuart, 418; Burton, ii. 347; Riddel, Tracts Legal and Historical, p. 189; Exchequer Rolls, iv. Preface, Appendix, cliii.

[4] Annandale was the Earl of March's territory.

[5] Tytler, i. 324.

[6] Bain, iv. 47. [7] Ibid., iv. 51.

[8] The expenses of a Marches Court held by Carrick at Melrose, in 1377, were £100, with £28 for wine, and £1, 11s. for lampreys.

[9] The picturesque aspect of these Border difficulties is given in Wyntoun's rhymed 'Cronykil.' We read of night onfalls, as of Percy's force, amazed in the night by a clamour, so that their horses broke tether and fled; in short—

> "Sore jeopardies, as they tell,
> On both the Marches oft befell,"—

too many for the chronicler to record.

[10] Cf. Bain, iv. 65. [11] Fordun in Goodall, ii. 396.

[12] Exchequer Rolls, iii. lxv *et seq.*

[13] See Exchequer Rolls, iii. lxiii, lxvi, and 117; Walsingham, ii. 115; Rot. Scot., ii. 63; Hume Brown, i. 190, 191, where some error has crept in, the author making Percy raid Scotland in March 1384, in revenge for the Franco-Scottish raid of April 1384: perhaps "March" is a misprint for "May."

[14] Mr Hill Burton, patriotically, says four thousand! Texts differ.

[15] This is borne out by a list of contents of a Scots trading vessel (Bain, iv. 99. "In Sir William Wallace's days, there was nae man pinned down to sic a slavish work as a saddler's, for they got any leather graith that they had use for ready made out of Holland."—Heart of Mid-Lothian, chap. iv.

[16] Exchequer Rolls, i. 223. [17] Bain, iv. 77.

[18] Dalkeith was really the castle of another Douglas, it seems.

[19] From natural sons of this doughty Douglas come the Dukes of Queensberry, and the Douglases of Cavers in Roxburghshire. The hero of Otterburn had no children by his marriage with a daughter of Robert II. The Douglas earldom went to Archibald, a natural son of Bruce's Sir James Douglas. Isobel, sister of the Douglas of Otterburn, succeeded him as Countess of Mar. She died without issue, and Lord Torphichen (Sandilands) is heir by line of the main stock of Douglas. Riddell, Remarks on Scottish Peerage Law, pp. 160, 161.

[20] The version of Otterburn here given is condensed from Froissart, who received it from eyewitnesses in France and Scotland. Walsingham, the English contemporary chronicler, makes Hotspur slay Douglas, whom he calls "William." Percy was not lightly ransomed: Richard II. contributed £3000 to the price of his freedom, on the petition of the Commons. Bain, iv. 87-93.

[21] How much of this ballad is Sir Walter's own work is a disputed point. See Mr Henderson's 'Scottish Vernacular Literature.'

[22] Materials are scanty. Fordun probably died where his chronicle ends, soon after 1383. We have a continuation by Bower (born 1385), a contemporary for

the early years of the fifteenth century. Till 1417 we have the English Walsingham. The various public documents are valuable. Highland historians lean on traditions collected very late, by deeply prejudiced Sennachies.

[23] See "The Two Greatest of Scottish Caterans," by Dr Wallace, Scottish Review, October 1898.

[24] Skene, iii. 309, 310.

[25] Mr Burnett says 1394 (Exchequer Rolls, iv. clviii). But compare Dr Wallace's article, *ut supra*.

[26] Skene, Qwhele; also Wyntoun.

[27] Skene, iii. 314. Mr Fraser Mackintosh thinks the feud was between the Macphersons and Clan Dhai, the Davidsons. See Minor Septs of Clan Chattan, pp. 123-127. Mr Neilson's 'Trial by Combat' shows the contemporary liking for the method.

[28] Act. Parl. Scot., i. 208 (570).

[29] Act. Parl. Scot., i. 210 (572).

[30] Rothesay and Albany are the first examples of ducal titles in Scotland. Rothesay's title is derived from the castle in Bute, the favourite residence of Robert III. Albany vaguely designates Scotland proper, and was, therefore, probably, adopted as a travelling or courtesy title by Charles Edward, Comte d'Albanie. It was borne by his wife well into the present century, and his daughter was Duchess of Albany.

[31] See Riddell, Tracts Legal and Historical, pp. 3-78. The reverend authors of Clan Donald (i. 142, 143) accept the legend. Mr Tytler, in an excursus to his valuable history, seems to accept the Mammet as actually Richard II., but Mr Riddell's refutation carries the greater weight. When first recognised, in Islay, the Mammet denied that he was Richard; naturally, Mr Tytler thinks, as the Lord of the Isles was an ally of Henry IV. But, if so, why did Richard go to Islay of all places? Dr Gardiner thinks that Richard's brain was turned before his fall, and a loss of wits was certainly common to him and the mysterious "Mammet of Scotland."

[32] There is extant a letter from the injured March to Henry IV., "I am greatly wronged by the Duke of Rothesay, who *spousit* my daughter, and now against his obligation to me, made by his letter and his seal, and against the laws of Holy Kirk, spouses another wife." The grandmothers of Henry and the earl were sisters; he therefore asks for aid and safe-conduct. "I am of third kin to you, the which in old time was called near." He writes in English—"as more clear to mine understanding than Latin or French"—Feb. 18, 1400. Book of Menteith, i. 170.

[33] Bain, iv. 115.

[34] Fœdera, viii. 158 (edition 1709).

[35] Bain, iv. 117.

[36] Act. Parl., Scot. i. 582 (220).

[37] Rothesay died, March 27, 1402. The acquittal of Albany and Douglas was on May 16, in the same year. See Exchequer Rolls, iv. lxxxix-xcii, for a discussion of Rothesay's death.

[38] Bain, iv. 129.

[39] September 14, 1402.

[40] There is a good deal of confusion as to James's capture. He was born in 1394 (Wyntoun), and Wyntoun says that he was taken on Palm Sunday 1405. He certainly was not fourteen, as Sir William Fraser says (Book of Menteith, i. 188). That age is from Bower, who puts the capture in 1404. Robert's death is dated by Wyntoun on April 4, 1406. Sir David Fleming died in February

1406. Now Walsingham places James's capture in 1406. Sir Thomas Hardy thinks that it occurred very shortly before the death of Robert III., April 4, 1406. James was in the Tower at end of February or beginning of March 1405-6 (Exchequer Rolls, iv. cxcviii). The existence of a truce at the time is doubtful (Exchequer Rolls, iii. xciv and 646). Brown, Authorship of the Kingis Quair, pp. 54-58.

[41] Exchequer Rolls, iv. lxx; Bain, iv. 158.

[42] Book of Menteith, i. 212.

[43] The founder was Bishop Wardlaw in 1413-14.

[44] Clan Donald, i. 163. The passage is curious; we hear of "a calamitous reverse." A reception which made the Highlanders disinclined to plunder Aberdeen, and anxious to get away at the earliest opportunity, must have been warm.

[45] The historians of Clan Donald resent this statement of the contemporary Bower, and attribute it to "that unreliable chronicler, John of Fordun." Fordun, in 1412, had long been dead: Bower, who mentions the affair, was then a man of twenty-seven. That Albany's expenses in the expedition to Polgilb were not paid, appears from Exchequer Rolls, iv. 213. On the whole, as the Polgilb story does not really rest on the statement of a man who was dead at the time of the events, Lowland historians will hesitate to call it "a fiction."

[46] Bain, iv. 163, June 2, 1411.

[47] Bain, iv. xxxi, 172, 174.

[48] Book of Menteith, i. 283-288.

[49] Liber Pluscardensis, x. 27.

[50] Michel, i. 124, citing Monstrelet.

[51] The authenticity of the attribution has been attacked by Mr Brown, and defended, successfully, in our opinion, by M. Jusserand. The incident of the window is probably mere romance.

[52] The incomes of these lords are stated; they range from 1500 marks to 600. March, or his eldest son, is rated at 800 marks. Tytler, i. 382.

[53] This is stated in the Prologue to the Book of Cupar. See Preface to Mr Skene's Fordun.

[54] Bower, Scotichronicon, lib. xv. chap. 24.

CHAPTER XI.

JAMES I.

THE reign of the ablest, and not the most scrupulous, of the Stewarts is distinct only in its general outlines. We see James laying a heavy hand on his nobles: his main purpose is clear enough; but we know neither the immediate cause, or pretext, for his action, nor the nature of the means by which he executed his repeated *coups d'état*. His legislation aims at the restoration of order; his conduct of Highland affairs displays more vigour than good faith, and it would not be unjust to say that James fought violence and perfidy with their own weapons. In this contest he was finally worsted, and the dramatic story of his death has won for him a sympathy which his aims deserve better than his methods. His French policy, and the vivid glimpses of Scotland which we gain from foreign envoys, fill up the interest of this historical page.

James entered his kingdom on April 9, 1424; he kept Easter in Edinburgh; he was crowned on May 21; on May 26 he met his first Parliament. James at once showed his method by arresting the eldest son of Murdoch of Albany, with Fleming of Cumbernauld, and Boyd, the younger of Kilmarnock, one of an ambitious house. Boyd was soon released. This step James took on May 13, before meeting Parliament, and his reasons are obscure. The secret history of the time is a blank; the contemporary Bower is interested in ghosts, prodigies, popes, and ecclesiastical affairs, rather than in the intrigues of the day. Though James imprisoned Albany's eldest son, Walter, he knighted Alexander, a younger brother. The Albanys might have seen the coming storm; but they took no known preparations to meet it. When James entered Scotland he heard a tale of rapine which made him exclaim, "If God gives me but a dog's life, I will make the key

keep the castle and the bracken bush keep the cow through all Scotland."[1] This excellent purpose was indicated by the proceedings in Parliament (May 26, 1424). A Committee of the Articles was at once chosen ("Lords of the Articles"), and the rest of the Parliament were given leave to go home. The Committee must simply have carried out the king's policy. There was a proclamation against private wars, and against travelling with large companies of "Maintainers" armed. But such proclamations were usually mere words. "Thiggars," wandering masterful beggars, were denounced, and Bedesmen, like Edie Ochiltree, were licensed to beg by a kind of primitive poor law. The ravages of the governing nobles on the Customs were strictly limited. The king is to have the great and small Customs "for his living," and an inquest into the holdings on the royal estates was instituted. These had been dilapidated sorely under the Albanys. Charters of holders of land were to be exhibited whenever the king desired. For payment of the king's ransom an aid of a shilling in the pound was demanded from lords and barons. An inquest into all the property of the land was instituted, including that of the clergy. Burgesses were also taxed on goods and rents, cattle and corn. The tax fell to almost nothing in the second year of collection. James never paid the ransom in full, and used the collected money for other purposes. The coinage was to be restored to its proper value, but this reform was not executed. Many protective or exclusive commercial regulations were enforced, and archery was recommended to a people who disliked the bow, while football was prohibited, as golf was later.[2] As salmon were being exterminated, all yairs and cruves ("coops," and similar traps on rivers) were disallowed for three years, an admirable measure. The commands to exhibit their charters, like the prohibition of private wars and the maintenance of armed retainers, must have been displeasing to the nobles, whose habitual robbery of the Customs was also checked.

James now arrested Lennox, father-in law of Murdoch of Albany, and also Sir Robert Graham, later his murderer. In March 1425, he held his second Parliament at Perth. This meeting was a trap. James rested on his Privy Council, of which Mar, the Bishop of Glasgow, Lauder of the Bass, Livingstone of Callender, Walter Ogilvy, and Somerville of Carnwath were the most important members. The names of the greater nobles are absent. On the ninth day of the Parliament the blow fell. Here arises a difficulty.

Bower writes, "On the ninth day of the Parliament (March 22) the king arrested Murdoch, Duke of Albany, and his younger son, Alexander (whom he had knighted on the day of his coronation, with twenty-six others)."[3] These twenty-six were among the most important nobles. The evidence of Bower has been understood by Mr Tytler and Mr Burton to mean that they were arrested, but Sir James Ramsay of Bamff points out that the twenty-six were *knighted* along with Alexander Stewart, not arrested along with him. This is plain, for, after the names of the twenty-six, Bower goes on, "and the same day he arrested the Lord Montgomery and Alexander of Otterburn, secretary of the Duke of Albany." This reading is confirmed by the Book of Pluscarden, a later continuation and correction of Bower, by a Scot who was with Jeanne d'Arc till her death. Seven or eight of the supposed prisoners were, in fact, among Albany's judges, and it has been supposed, on the theory of their arrest, that James put constraint on them while in prison.[4] Thus the legend of a sweeping *coup d'état* has floated into history. Not "the whole Scottish House of Lords," but Albany with his eldest son, Montgomery and Otterburn, were thrown into prison. Albany's castles were taken, and Parliament was adjourned, to meet at Stirling on May 18.

All this implies the possession, by James, of a strong military force; but we have no details on the subject. During the recess James had perhaps worked upon Douglas, Alexander of the Isles, Hay of Errol, Livingstone of Callender, the Earl of March, and others; but these were not, as has been held, his prisoners. They constituted, at all events, a Court which condemned the heir of Albany, Albany himself, Alexander (the son whom James had lately knighted), and Lennox. He was a man of eighty: the Albanys were very tall knights; it is said that they were beloved and regretted. James Stuart of Albany, the only son of the Duke not taken, avenged the arrests of his kindred by burning Dumbarton. He escaped to the Highlands, later to Ireland; but five of his men were torn to pieces, *écartelés* (the cruel punishment of English law), by wild horses. The king, in fact, instituted a Reign of Terror. The charges against the heir of Albany are vaguely called "roboria,"—but the motive for these violent deeds, these legal murders, was obviously first to avenge James's real or fancied wrongs during his captivity; next, to intimidate the nobles. If a better reason existed it is unknown to our author-

ities.[4] In the contemporary tract on James's murder it is alleged that "the people of the land sore grudged and mourned" the deaths of the Albanys, thinking that James really wanted to enrich himself with their property.[5] It is true that James found his kingdom full of all injustice. He probably regarded the Albanys as responsible. Again, he was jealous of them as heirs to the crown. Once more, he had grudges about the delay of his deliverance. But, far from paying his ransom, he allowed his hostages, sons of the noblest houses in the land, to linger, and even to die, in England. That course partly subdued, but also irritated, the *noblesse*.

The great estates of Albany and Lennox were seized by the king, who by the one stroke asserted and sapped his own power. Perhaps his motive was thought to be avarice. Examples like his were certain to be, and were, followed by the men whose feud he had now incurred, and whose fears he had awakened.

James was acting in a hurry. A wise policy might have divided the nobles, and attracted a strong party to the Crown. James, in short, behaved like one who knew that his time was short, and who hesitated at no enormity in pursuit of an end in itself laudable. He had the aims and the unscrupulousness of Louis XI., without his astuteness and precaution. A few years of "strong government" only led to a worse anarchy.

After a carnival of torture and death, Parliament returned to legislation. With incongruous humanity, they decided on instituting Advocates for Poor Suitors, to be appointed by the judges. Offenders who made reparation, or "assythment," were to be pardoned,—but not in the Highlands. Bishops were to make search for Lollards and other heretics,[6] a command coming oddly from the laity. Toleration was not a lesson to be learned at the Lancastrian Court, but James, in pursuing heretics, only acted, though unconsciously, on the precepts of Plato; and only kept his coronation oath. The amount of the Customs recorded in this Parliament is nearly double what it was under the Albanys. It is remarkable that, in the Exchequer Audit, Albany, *moriturus*, received from the king a remission of customs dues on his hides.[7] A law was made against "bands," associations of the nobles, for centuries the curse of Scotland, and deer-poachers were to be fined. The frequency with which James kept Parliaments is decisive proof, of course, that he was the reverse of

a *Roi fainéant*, that he was serious in his royal profession. He now decreed the establishment of a new Court of Justice, "The Session." Certain discreet persons of the Three Estates "sall syt three tymis in the year quhare the king likes to command," to decide all causes which may be determined before the King's Council.[8] James also decreed that the Acts passed should be promulgated everywhere by the sheriffs, that no man may pretend ignorance of the law: an important and useful innovation. As an example of simplicity, it may be noted that the Three Estates were each to select from themselves six men, to revise the laws "and mend the laws that need mending," precisely as if laws could be cobbled like boots. Eighteen men were to do quietly the work which now, after much eloquence, so hardly gets itself done. In fact our ideas of a Parliament must be set aside when we think of the rapid old Parliaments of Scotland. Paternal and primitive restrictions were placed on commerce, yeomen were bidden to provide themselves with bows, and to practise archery (which they never could be induced to do), and travellers were ordered to go to inns, not to "sorn" on their friends.

The king next carried out, in the Highlands, the policy of *coups d'état* already applied to the Lowland nobles. He summoned a Parliament at Inverness. Donald of Harlaw had been succeeded in the lordship of the Isles by his son Alastair, who (with the earldom of Ross) sat in the Court that condemned the Albanys. He came in response to the summons, as did his defeated foe, Angus Dubh Mackay, with Kenneth Mòr Mackenzie, James Campbell, and all the North. Campbell had previously been sent to bring John Mòr, Alastair's uncle, before the king, and had incidentally slain him. The facts are obscure, and a late seventeenth-century MS. by Hugh Macdonald, a clan historian, is hardly evidence good enough to prove James's complicity in the murder.

> "I bade ye bring him till me,
> But forbade ye him to slay,"

James might have said, like his descendant, in the ballad of "The Bonny Earl of Moray." There were other clan feuds between Campbells, Macdonalds, Clan Ranald, and Clan Godfrey. "The Hieland men commonly reft and slew ilk ane uther," says an earlier Parliament. Some of the chiefs, who came trusting to James's honour, were promptly and perfidiously seized, imprisoned, or

hanged. Bower represents the king as improvising a rhyming Latin ditty: like a born Scot he made a false quantity:—

"Ad turrem fortem ducamus caute cohortem,
Per Christi sortem meruerunt hi quoque mortem." [9]

"To the tower strong lead them cannily along,
By Christ that suffered wrong they deserve not to live long."

James Campbell, the slayer of John Mòr, was among those executed.[10] Alastair was released after a short imprisonment, and showed how he liked his treatment by burning Inverness (1429). James pursued him with an army, and came up with him in Lochaber. Alastair was deserted by Clan Gilliequhatan (Clan Chattan) and Clan Cameron: next year Clan Chattan burned a church, with Clan Cameron in it. These clans were "well matched for a pair of quiet ones." Abandoned by so many of his Celts, Alastair did a humiliating penance at Holyrood, in his shirt and drawers, unless his romantic national costume was mistaken, by the Lowland Bower, for these garments. Alastair was now warded in Tantallon Castle, then held by William Douglas, Earl of Angus, and long possessed by his family. The towers and walls are still crumbling under the salt winds, on the very verge of a perpendicular basaltic cliff above the Northern Sea. The place became a notorious stronghold, in later times, of that Angus who was so useful to Henry VIII., and so dangerous to Scotland. The mother of the Lord of the Isles, the titular Countess of Ross, was imprisoned in Inchcolm. How little these acts of injustice pacified the Highlands was soon seen. In 1431, to anticipate the strict order of events, Donald Balloch, son of the murdered John Mòr, uncle of Alastair of the Isles, attacked Mar, with a Royal army, near Inverlochy. The battle is described, from tradition, by Hugh Macdonald, more than two centuries after the event. The Earl of Caithness fell, Mar escaped, and a pleasing anecdote is told of his adventures. Donald harried the Camerons and Clan Chattan; at the same time the Mackays enjoyed a particularly bloody clan battle in Strath Naver. The Highlands, in those days, did not always suffer from "a congested population." Donald soon fled to Ireland, whence somebody's head was sent to James, to his gratification; it was not, however, as was alleged, the head of Donald Balloch, who became conspicuously alive on a later day. Alastair of the Isles is believed to have been restored to his own, in the rejoicings

of 1431, after the birth of twin heirs to the Crown. The earldom of Ross also reverted to his house. But James's death, and the overthrow of all that he had worked for, was to come from the Highlands; their feud was to be sated.

Before the end of these Northern disturbances, James, in a Parliament held at Perth (March 1st, 1427-28), had tried to introduce the representative principle.[11] There was no idea of conferring the franchise, in the modern sense. The lesser barons and free tenants, who greatly disliked the waste of time in parliamentary proceedings, were allowed to stay at home, provided that they chose two "wise-men," to attend for each sheriffdom—Kinross and Clackmannan sending only one wise-man apiece. The elected commissaries were to choose a Speaker, and the electors were to subscribe for the expenses of their representatives. They were to deliberate among themselves on matters touching the interests of their Estate. The arrangement seems cheaper and more agreeable to the smaller barons than the expense and tedium of riding to a meeting in which they were of no great account. As to the burgesses, the representatives of burghs holding from the Crown "appear to have attended regularly, . . . though their election seems never to have been authorised by any statute now appearing, and probably always rested merely on practice."[12] These Anglicised innovations, and the intended separation of Parliament into two Houses, were unsuccessful. "Scarcely any of this ordinance took effect." The constituents did not approve of paying their representatives.[13] No Speaker was appointed. The constitutional history of old Scotland is, in fact, extremely meagre. A constitutional opposition scarcely existed. Under the later Stewarts, the Opposition usually stayed away, it being more than their lives were worth to come within reach of the nobles in power.

Sanitary measures for lepers were also passed, and a valuable law was made that suitors were not to ride to Court with small armies of adherents. That law was always persistently broken, as we have remarked before,—for example, later by John Knox and the Earl of Bothwell. Deacons of the Crafts were no longer to be elected (1428), because of recent "conspiracies," probably in the nature of trades-unions, but the decree is vague in statement. In a Parliament of 1429, landlords were *requested* not to evict cultivators from land, of which new leases had been granted, for a

year after the granting of the lease. This was a step towards a much later law, making for some security of farmers' tenure. Sumptuary laws, with a law for proper arming of the people, were passed, and exactions towards the raising of a fleet were imposed on the north-western barons. Sumptuary laws (like all laws in that age) were rather expressions of laudable opinion than enactments likely to be obeyed. But they indicate the nature of men's apparel. Clothes of silk and marten's fur were forbidden to persons with less than 200 marks of income; so, too, were "broidery and bullion." Later sumptuary laws testify to a certain gaiety and luxury of attire, in spite of the poverty of the realm. "Narrow sleeves and little pockets" are recommended.

While James "struck down the tallest heads," as the old Roman advice ran, and endeavoured to pass laws for the benefit of his country, the national relations with our ancient ally of France were not neglected. Verneuil fight had not dispirited the Scots men-at-arms. In 1427, the Dauphin gave the county of Evreux to Sir John Stewart of Derneley, Sieur d'Aubigny, and in 1428 permitted him to quarter the Lilies of France with his own bearings. In that year the Dauphin (Charles VII.) had sent Derneley, Alain Chartier the poet, and Regnault de Chartres, the too diplomatic Archbishop of Rheims, also Maurice Buchanan (perhaps the author of the 'Book of Pluscarden), to seek for the Dauphin the hand of the infant Princess Margaret.[14] James accepted the marriage, and received French lands, but the unfortunate Princess did not sail to France till 1436. France was now in her worst straits. Bedford was besieging Orleans (1428), the key of the kingdom south of Loire: Charles was hardly pressed for money, and he even thought of seeking refuge in Scotland or Spain. In February 1429, Stewart of Derneley, now Sieur d'Aubigny, sallied from Orleans with La Hire to join the Comte de Clermont, and cut off a convoy carrying provisions, lenten fare, from Paris to the English besieging force. La Hire and Derneley were delayed, after they met the English, by Clermont, who should have joined them and taken command. Seeing the English in *laager*, fortified by their waggons, Derneley lost patience. He leaped from his horse, and, with La Hire, Dunois, and his own brother William Stewart, anticipated the fatal error of Ticonderoga. The Scots and French were baffled by the *laager*, Derneley and his brother fell, La Hire scarcely escaped, and Clermont shamefully took no part in this fatal "Battle

of the Herrings," at Rouvray.[15] Sir Hugh Kennedy of Ardstinchar had also the fortune to reach Orleans in safety. The Battle of the Herrings seemed to make the fall of the city a certain thing; but, far off on the Marches of Loraine, the Maid had known of the Dauphin's loss before news could arrive, and this portent of her clairvoyance determined Baudricourt, the Governor of Vaucouleurs, to send her to the Dauphin. What followed is too familiar to repeat. Jeanne won over the king by telling him the contents of a secret and despairing prayer which he had made in his chamber. Under the banner of Jeanne d'Arc the French and Scots drove the English from Orleans, took Jargeau, routed Talbot and Fastolf at Pathay, crowned Charles at Rheims — whither the Scottish archers led the march [16]—and would have taken Paris, but that they were betrayed by the king himself and his ministers. The Scots, under Sir Hugh Kennedy, were with Jeanne in her last victory at Lagny; and the author of the 'Book of Pluscarden' declares that he stood by her till her death. She never saw her own portrait but once, and then in the hands of a Scottish archer, at Arras, where (perhaps from these hands) she received a file wherewith to break her bonds. Alone of the peoples with whom she was concerned, the Scots never deserted, sold, betrayed, or condemned La Pucelle.

On the national banners of Scotland, Bannockburn and Otterburn are names not more immortally illustrious than Baugé, Orleans, Pathay, and Lagny, all victories of national freedom. Among the families whose ancestors had the honour to fight beside the saviour of France are Kennedy, Chambers, Houston, Hay, Urquhart, Power,[17] her banner-painter, and "Quot," which is difficult to interpret.[18]

Though Scotland did not, at this juncture, send an additional force to the aid of France, yet English jealousies were aroused by the Marriage Treaty between James's daughter and the Dauphin. James, therefore, met Cardinal Beaufort, at Dunbar, in May-June 1429, about the very date when Orleans was relieved and Pathay was won.[19] As a result of this meeting, the Truce with England was renewed on July 12, 1429.[20] Cardinal Beaufort instantly employed the men whom he had raised for a Crusade against the Hussites, in an expedition to France. They garrisoned Paris, while the French king loitered on his way from Rheims, and so the Maid failed before the French capital. The

meeting of James and Cardinal Beaufort at Dunbar had thus, probably, the most important and deplorable results, by relieving the English of any fear of trouble from Scotland.

The birth of male twins, of whom the elder, Alexander, was heir to the Crown, occurred on October 16, 1430; but Alexander died in infancy, and his brother James was later James II. Donald Balloch was now stirring in the North, and a plague devastated the country. Lord Scrope (1433), according to Bower, was sent to negotiate a permanent peace, England offering to surrender Roxburgh and Berwick. A meeting of the Estates was held in Perth, and Bower avers that the negotiations were frustrated by the abbots of Scone and Inchcolm; Foggo, Abbot of Melrose, took a different view as to James's engagements with France. Lawrence of Lindores, the Inquisitor, then scented heresy in Foggo's arguments: the dispute became theological, and the English proposals were dropped out of sight. This affair, not traceable in public documents, is very curious. The learned churchmen, though divided among themselves, appear to have thwarted the strong desire of the laity for peace.

James's relations with the Church were those of a reformer. Scotland, at this very moment, was on ill terms with the Papacy, because the King and Parliament asserted and exercised, in ecclesiastical affairs, a power superior to that of Provincial Councils of the Church. Thus it was Parliament that acknowledged as Pope, Martin V., deserting Peter de Luna; Parliament bade the bishops seek out heretics; and Parliament, in 1427, passed an ordinance "curtailing the cost and abridging the forms of process in civil causes against churchmen in the spiritual courts, and, as if the Church had only to register the decree, ordained that it should be forthwith enacted by the Provincial Council."[21] The Bishop of Glasgow, John Cameron, with others, was cited to Rome, on a charge of promoting this measure, injurious to the liberties of the Church, and derogatory to Papal authority. James sent an embassy to Rome, praying that the Bishop of Glasgow, as Chancellor of Scotland, might be excused from the journey. This failed, and the archdeacon of Teviotdale came from Rome as special Nuncio, to serve a citation on the Bishop of Glasgow. He then decamped, under a charge of treason, and fled to Rome, being stripped of his property *in absentia*. The Pope proceeded as far as a threat of interdict, and Cameron yielded so far as to go to Rome, to ask

that a legate might be sent to Scotland. The legate came, but only in time for the king's murder. The Monk of Pluscarden asserts that James was "absolved from all guilt" by the legate, a week before his death. The business ended with Cameron's release from Church censures in 1439.[22]

James must have compromised, or retreated, in this quarrel for the supremacy of the State, had he lived. He sent eight representatives to the Council of Basel, which was anti-papal. He bade the Bishop of St Andrews recover possessions of the See which his predecessors had alienated in the interests of their kindred. He ordered the Benedictines and Augustinians to put their houses in order, "lest royal munificence, which built and nobly endowed your monasteries, repent that it erected marble dwellings, when it observes how impudently you have abandoned religious conduct" (17th March 1424-25). James himself founded the Carthusian monastery of Perth in hopes of better fruits. The Carthusians were honourably distinguished by not working miracles, and this was objected to them by their enemies. But, urges Bower, no miracles are attributed to John the Baptist. They are needed by infidels, not by the faithful. They are frequently not wrought by the righteous, explains Augustine, lest weak brethren should think miracles preferable to good deeds. The Carthusians leave the world to live in thirst, hunger, and chastity. They do not raise the physically dead to life, but to immortal life they raise men dead in trespasses and sins. Verily the example of the Carthusians was sadly needed in Scotland!

We see the main causes of the Reformation already at work: the profligacy of the clergy, the alienation into lay hands of spiritual property, and the rise of heretics founding their ideas on a fresh study of the Bible. In 1433, Paul Crawar, an envoy of the Hussite "miscreants," was burned for heresy at St Andrews (July 23). He was attacked by Lawrence of Lindores, who found him, as Bower admits, well read in the Scriptures. Community of goods and women—free love and socialism—are said to have been among Paul Crawar's tenets; while, in their communion, some of these heretics read the chapters on the institution of the Lord's Supper, and used common bread and wine, in large quantities, and a common drinking-cup. We later find Knox denouncing the holders of such communions, in private houses, without ministers, as worthy of death: "For where, not long ago, men stood in such admir-

ation of that idol in the Mass, that none durst presume to have said the Mass, but the forsworn shaven sort, the Beast's marked men [observe the charity of our great Reformer!]; some dare now be so bold as without all convocation to minister, as they suppose, the true sacraments in open assemblies, and some idiots (yet more wickedly and more imprudently) dare counterfeit in their houses that which the true ministers do in the open congregation; they presume, we say, to do it without reverence, without word preached, and without minister, other than of companion to companion; . . . we dare not prescribe . . . what penalties shall be required of such, but this we fear not to affirm that the one and the other *deserve death*."[23] Possibly Crawar would have found no more mercy in the sight of Knox than he won from Lawrence of Lindores.

James now continued his suppression of the more powerful nobles. Douglas he imprisoned and released, we know not wherefore. In 1427, the king seized the earldom of Strathearn, "on the palpably groundless pretext that it was a male fee. It should have come to Eufamia, daughter of the last earl, and so to her son Earl Malise, who was despoiled."[24] The liferent he gave to Walter, Earl of Atholl, his uncle, now an old man; Lord Strathearn received the title of Menteith, and was sent to England as a hostage for the ransom which James never meant to pay. This earl was a son of Sir Patrick Graham, and nephew of Robert Graham, the murderer of King James. March, again (the son of the renegade), was of unquestioned loyalty; but, in 1434, James imprisoned him, and seized his castle of Dunbar. Every possible kind of legal sanction was given to this seizure of the principality which owned the descendant of Cospatrick as its lord. The family, related to the Lancastrian Royal House, had never been frankly Scottish. Their possession of Dunbar Castle gave them the very key of the kingdom. But James distrusted the son of the renegade, and a Parliament at Perth (January 1434) decided that his lands had lapsed to the crown by the elder March's forfeiture, which Albany could not lawfully redress. The forfeited earl retired to England.

On the death of the Earl of Mar, the son of the Wolf of Badenoch, and the warrior of Harlaw and Inverlochy, James took possession of his earldom also, "to the prejudice of Robert, Lord Erskine, the rightful heir." Thus earldom after earldom was reduced. James must thus have alienated the nobles, whose help he seemed likely to need, for England did unfriendly acts, first on the Border, and

then, in 1436, by trying to intercept the Princess Margaret, as she went to marry the Dauphin.[25] James, in natural anger, laid siege to Roxburgh Castle, in August 1436. Thence he was withdrawn by the queen, for reasons unknown: possibly because of the discovery of some domestic plot. In seizing the earldom of Strathearn, on the ground that it was a male fief, James had irritated Sir Robert Graham, uncle of Malise, the rightful holder by virtue of descent from a marriage with the heiress.[26] Graham had been imprisoned by James before he uprooted the Albanys, and the new wrong to Graham's house, and to Atholl's kin, festered in a mind audacious and implacable. There exists an English translation, done in 1440, of a contemporary lost Latin account of James's murder. This is the authority for the following events.[27]

Graham rose in his place in Parliament, denounced James's tyranny, and bade the barons lay him under restraint. James commanded Graham's arrest, imprisoned him, then banished him from court, and confiscated his lands. From his retreat in the Highlands, Graham renounced his allegiance, and warned James that he would slay him, if he found opportunity. He then intrigued with Atholl, James's uncle, the rightful heir to the throne, if the offspring of Elizabeth Mure by Robert II. were set aside as illegitimate. Atholl's grandson, Sir Robert Stewart, was chamberlain to the king, and enabled the conspirators to work their will. Graham was aided by 300 Highlanders, who probably had wrongs to revenge. To keep Christmas (1436) with the Black Friars of Perth, James went from Edinburgh towards the Forth. At the Water of Leith a Celtic seeress warned him that, if he crossed, he would never return alive. It will be remembered that a Greek seeress, in the same way, tried to warn Alexander the Great of the conspiracy of the Pages. The Highland wise-wife (who may have got her news normally from one of Graham's caterans) attributed her knowledge to information acquired from one *Huthart*, possibly her familiar. She was disregarded, and James resided till February 20 in the Dominican monastery. After nightfall, the chamberlain, Robert Stewart, bridged the moat with planks, and spoiled the locks of the doors. One of the conspirators, Chambers, relented, and vainly tried to warn the king. The Highland woman flitted out of the night, and approached the door, but was baffled in a last attempt, and bidden to call next day.[28] The courtiers dispersed; the king, in his dressing-gown, was talking with the ladies. Stories were

being told of premonitory dreams. Alarmed by a sudden noise, James bade the ladies keep the room, wrenched up by his great strength a plank from the floor, and got into a kind of drain, which used to have an opening into the outer air. But James, alas! had recently walled it up, as his tennis-balls used to be lost there when he played in the convent court. Graham and his caterans now broke in; the legend of Catherine Douglas who barred the boltless door with her arm is, unfortunately, late and, perhaps, apocryphal. The queen was insulted, but a son of Graham interfered. James could not be found, the Highlanders swept out again; but James, in his premature efforts to leave his concealment, made a noise which recalled the assassins. Thomas Chambers then remembered the vault: two murderers, named Hall, descended into it, one unarmed. James, a man of great physical strength, overpowered them with his hands, but Graham stabbed him, and the others struck him many blows with their dirks. The queen had now escaped, and the conspirators fled to the Highlands, leaving the mangled body of their king.

So died the first James, lamented with obvious sincerity by the chroniclers; but blamed for tyranny by the author of the tale of his murder. It was a death which might have been foreseen. The task of James was, perhaps, beyond the strength of one man: He seems to have thought it impossible to meet feudal by any other means than monarchic tyranny. Treachery he fought with what, in our ignorance of details, we must regard as its own weapons. The uprooting of the Albanys was popularly attributed, if we follow the contemporary account of James's death, to his desire of their possessions. The Monk of Pluscarden regards "that old serpent of evil days," Atholl, as the cause of the sorrows of the reign. In this author's opinion, Atholl persuaded James to destroy the Albanys, intending later to remove James himself, and so come to the crown. The Pluscarden writer was in the suite of James's daughter, the Dauphiness, and his opinion may have been that of the royal family.

James had made an ineffaceable mark on Scottish history, and on popular legend. Bower laments him with unfeigned grief. He was of middle height, large-boned, the best of wrestlers, archers, and spearmen, swift of foot, an admirable rider, and unwearied in the march, a skilled musician, excelling the famed Irish minstrels. His leisure was given to literature and writing, and to the arts of design

—nay, he even studied the mechanical crafts. In England he found a language *quam non noverat*, a strange tongue. It has been argued that James could not have written his famous poem, 'The King's Quair,' because it is in Scots, which, being a boy of nearly twelve when taken, he would forget in England. We can reply that his letters of 1416, whether drafted in his own hand or dictated by him, are Scots enough. In the poem, James says that he was "near *about* the number of years three beyond the age of innocence," when taken. "The age of innocence" is seven. James was born in 1394; in 1406 he was between four and five years past "the age of innocence." The explanation of the discrepancy *saute aux yeux*. He writes "near about the number of years three" *to secure an easy rhyme*, while he does not pretend to be precise. The theory that the poem was made about 1440-1460 by somebody who had read Wyntoun's Chronicle, and adopted his dates, takes it for granted that, in 1440-1460, a poet would put himself *dans la peau d'un autre*, like Mr Browning, would write of another man's experience, in another man's name, and would leave his work anonymous. We have no example of any such performance; a glance at Lyndsay's later 'Tragedy of the Cardinal' proves that it is not to the point. Lyndsay speaks, first, for himself. Nor is it to the point that Buchanan never mentions a poem by James about his queen. Major does, and Major is earlier than Buchanan. The silence of Dunbar, in his piece on the "Deaths of the Makers," is more to the point, but "arguments from silence" are notoriously of slight value. A number of perfectly futile objections to James's authorship of 'The King's Quair' only weakens the case for disbelief.[29] We may thus accept the poem as by James. Like Charles d'Orleans, he rhymed in prison, or, perhaps, not in prison. He may have written the poem in Scotland; poetry, as a rule, comes to a poet long after the emotions which it celebrates. The detail of looking from a window (traditionally, but most improbably, placed in Windsor Castle) is only in the manner of the age, and of older ages. Chaucer has it, but so has 'Aucassin and Nicolette.' We only know that James, at some time, and by no means for publication, wrote a poem, and a very beautiful poem, about his true love, his wife. This, alone, sets James apart among kings.

"A man of his hands," a man of vigour, yet accomplished in all arts, James was also celebrated for his protection of the poor. Some Highland villain had robbed a poor woman of two cows.

She declared that she would never wear shoon till she had walked to the king and made her complaint. "You lie!" said the miscreant, "I will have you shod," and he caused horses's shoes to be nailed to her feet. When the woman recovered, she showed to James her scars. The king, by a writ to the sheriff, had the cruel robber arrested, caused him to be led about Perth for two days, covered with a canvas on which his crime was depicted, and then had him dragged at a horse's tail to the gallows, and hanged. Under James's rule, says Bower, who tells this anecdote, the people dwelt free from plunderers. But when James was dead, anarchy returned. While we admit all these virtues, it is impossible, with our scanty knowledge, to acquit the king of violent, illegal, and even treacherous conduct in his attempts to restore order.

The conspirators who slew him made a mistake in sparing the queen. She urged the pursuit of the malefactors so earnestly that Graham and others were taken by aid of two Highland chiefs, John Stewart Gorm and the ancestor of the Robertsons of Strowan, who received rewards. They, too, were ruffians, as their later conduct proved. The conspirators, from Graham and Atholl to Thomas Hall, were tortured with a ferocity which horrified even that relentless age. James's attempted reforms almost perished in the anarchy of his son's minority. The statutes, indeed, continued to be promulgated in the vernacular; the Session did not cease to sit; but the Church declined in learning, while it advanced in licentiousness; the power of the nobles was not curbed—nay, Scotland again became "a den of thieves." James had further debased a currency already much below its original value. New customs on goods were imposed, which could not make the king popular. His own wool and hides James exported duty free. He appears to have been the first Scottish king who had large siege artillery cast, and he brought from Flanders one of these huge bombards, "The Lion," of the kind used by the Burgundians at the contemporary siege of Compiègne. These bombards were dear to the early Stuarts, giving them a weapon which the nobles did not possess. If the Lion was of bronze, as Bower says, it cannot have been the bombard which slew James II.

Of Scotland under James I. we have a curious and well-known sketch from the pen of Æneas Silvius Piccolomini.[39] Sent by the Council of Basel, a very young man at the time, the future Pius II. came into the frozen North like a shivering Italian greyhound on a

curling-rink. There was only a space of little more than three hours of sunlight in winter, a circumstance since altered in the progress of civilisation. He calls the king a square-built man and too fat. He was anxious to see the tree which breeds solan geese, but it was too far north. The half-naked poor, begging at church doors (a queer thing for an Italian to complain of), received not bread but a stone, which is greasy and burns. There is no wood in this naked region. Not till he reached Newcastle on his way south did Æneas find himself in a decently habitable region. Frightened by a storm at sea, he had made a vow of a barefoot pilgrimage to White Kirk. The weather was frosty, and the pilgrim suffered grievous things. Scotland was a country of unwalled cities; the houses, as a rule, were built without mortar, the horses were small, and currycombs were unknown. Conversation was chiefly abuse of the English. When Regnault Girard came to bring the Daughter of Scotland to France, for her hapless marriage with the future Louis XI., he presented the queen with chestnuts, pears, and apples, and she was much pleased, for there is little fruit in Scotland. A mule was also a rare novelty, and much admired. Regnault speaks touchingly of the tears shed by James when he parted from his child.[31]

NOTES TO CHAPTER XI.

[1] Bower, Scotichronicon, xvi. 34.

[2] Act. Parl., ii. 3-6.

[3] Bower, xvi. 10.

[4] The whole error arose from Bower's editor's use of brackets. Sir James Ramsay in the 'Scotsman,' July 12, 1883. Cf. note to Dr Ross's 'Early Scottish History and Literature, p. 137. Compare Tytler (1864), ii. 58. Twenty-six nobles were knighted along with Alexander of Albany in 1424, not arrested with him in 1425. The error exists even in Mr Burnett's preface to Exchequer Rolls, iv. xc.

[5] Pinkerton, i. 462, Appendix. Mr Hume Brown (p. 218) throws doubt on this document. But I am acquainted with no other source for the unpopularity of James, which p. 220 Mr Hume Brown seems to accept. "That he was rapacious, that he was violent to imprudence, that he aimed as much at the greatness of the crown as at the good of his people, all this his subjects appear to have believed." Perhaps they did, and were not wrong in so doing, but the evidence is mainly that of the discredited tract in English.

[6] Act. Parl., ii. 7.

[7] "Per remissionem factam per dominum regem duci Albanie, de custuma coriorum suorum, xv lib. vi s. viii d."—Exchequer Rolls, iv. 387, xciii. This gift to a doomed man seems evidence of wonderful duplicity on James's part.

[8] Act. Parl., ii. 11, March 1425-26. Oddly enough, the wild justice of trial by battle was still in use. A tailor, "a low snip" (plebeius scissor), challenged an esquire named Knox (Knokkis). The king not only encouraged the fight, but put the tailor into training. We have an entry, *pro mensa scissoris ante duellum*, xx shillings. The duel was interrupted by the king's orders. Exchequer Rolls, iv. 411; Scotichronicon, xvi. 15.

[9] Major notices the blunder. Kings are *super prosodiam*.

[10] Mr Hill Burton very properly censures James's treachery: "There was no more notion of keeping faith with the Irishry . . . than with the beast of prey lured to its trap." The historians of Clan Donald style this observation "a melancholy instance of Lowland prejudice and racial rancour. The perusal of such remarks is irritating to the Celtic mind." The Celtic mind is too hasty. Mr Burton does not justify James's egregiously treacherous conduct, he characterises it as it deserves. Clan Donald, i. 179; Burton, iii. 112.

[11] Act. Parl., ii. 15.

[12] Report of the Lords' Committee on the Dignity of the Peerage, i. 116.

[13] Innes, Lectures, 123.

[14] Mr Skene believes Buchanan to have written the Liber Pluscardensis, but in his edition of that work, Mr Felix Skene makes this attribution seem dubious.

[15] Siège des Anglois devant Orléans. (1611.)

[16] From a contemporary tapestry showing the march to Rheims.

[17] Poulvoir = Powrie, or Polwarth?

[18] The Liber Pluscardensis contains the beginning of a Life of Jeanne, a lost gospel of the Maid, by the author, who knew her and stood by her, he says, to the last. In all known MSS. only four or five lines of this memoir exist, and the original MS. from which they copy has never been discovered. Bower knew a witness who noted her habit of gazing at her ring, inscribed *Jesus Maria*. Such a ring was found at Pluscarden, where her true friend wrote his Chronicle.

[19] Exchequer Rolls, iv. ciii, 406. Mr Tytler says "the meeting never took place," but the accounts of the custumars of Dunbar prove that it did. Compare Bain, iv. 212. The English, as Percy and Beaufort, are to treat with the Scots "on great and weighty matters touching the realms of England and France." England must have desired peace with Scotland during the marvellous weeks of the Maid. To her this peace was fatal.

[20] Fœdera, x. 428 (ed. 1704-1717).

[21] Statuta Ecclesiæ Scoticanæ, i. lxxxi. Act. Parl. Scot., ii. 14.

[22] He seems not to have been of Lochiel's family, but of an Edinburgh burgess house, named from the lands of Cameron near Craigmillar. We earlier find a Cambron in Atholl, but the clan was already powerful in Lochaber.

[23] For Crawar, cf. Bower, lib. xvi. chap. xx. First Book of Discipline. Knox, Hist. of Reformation, ii. 253, 254. Works, edited by Laing, 1846.

[24] Book of Menteith, i. 290.

[25] One of the envoys who brought her over has left an account of his adventures in MS., which has been used for historical purposes by M. Jusserand in his 'Romance of a King's Life.'

[26] The eldest son of Robert II., by his second marriage, was David, Earl of Strathearn, brother of Walter, Earl of Atholl. His heiress married Sir Patrick Graham, brother of Graham the murderer of James I.

[27] In Pinkerton, i. 462. Cf. Note 5 *supra*.

[28] Can she have been the woman whom a robber shod with horse-shoes, and whom James avenged?

[29] The hesitating reader will find the heresy in Mr J. T. T. Brown's 'Authorship of the King's Quair,' 1896. Scepticism cannot go further than the note to page 6. The title of the book, in the unique MS., says that it is "be" King James. Mr Brown suggests that "be" may mean "concerning" King James. But the scribe who wrote the title did not think so, for he goes on, "Maid when his Ma. wes in England." Who was going to write a Scots poem "concerning" King James except himself, "when his Majesty was in England"? M. Jusserand's answer to Mr Brown is in the 'Revue Historique,' May-June, 1897. M. Jusserand has a valuable ally in Mr R. S. Rait's 'Tract on the King's Quair' (Brown: Aberdeen, 1899).

[30] Opera, Geographica et Historica, 1707, p. 318; Descr. Asiæ et Europæ, Paris, 1534, p. 415.

[31] Girard's MS. has in part been published by M. Jusserand in 'The Romance of a King's Life.' The frontispiece, after Pinturicchio, shows James, a fancy portrait with a beard as white as Charlemagne's, receiving a Peruginesque Æneas in a loggia. Behind is an Italian landscape. The picture is in the Library at Siena. I have had a transcript made of Girard's manuscript, but it contains little of value beyond what is cited by M. Jusserand. Ms. fr. 17330, No. 9, Bibliothèque Nationale.

CHAPTER XII.

THE CONFLICT WITH THE NOBLES.

JAMES II.

FROM the hour when James I. was hacked to pieces in a drain the history of Scotland, for 150 years, revolved in one sad circle. Each king, dying young in war, or by the hands of assassins, or of sheer fatigue and broken heart, left a minor to succeed him. The minority was filled by the intrigues of unscrupulous plotters, to whom the person of the king was much like the Great Seal, a thing to be seized and used, by force or fraud. Each king, as he came to full age, threw off the yoke of the party which had held his youth in thraldom. Executions and confiscations followed, and these left their heritage of vendettas to distract the remainder of the reign, and bequeathed their generation of renegades, often Douglases, to intrigue with England. This circle of calamity revolves through the reigns of James II., James III., James IV., James V., Mary, and James VI. The same old tragedy is repeated, with slight changes in the names and dresses of the characters. Till the Scottish people, partly from weariness of the Church, partly from distrust of French ambition, began to look towards England for an ally, there is no reason, no considerable idea, behind the series of revolutions. There is, indeed, as there was all over Europe, the conflict between the crown and the nobility. But even this conflict has no clear outlines.

The struggle between the kings and the house of Douglas went on; but the aims of the several chiefs of the Douglases are shifting and obscure, while the Royal policy was one of alternate timidity and treacherous violence. There remains the essential and national idea of resistance to England; but England, during the reign of

James II., was itself distracted by the various merely dynastic parties of the Wars of the Roses. When England is reunited under the despotism of Henry VII., fresh influences intrude, the new ideas of the Renaissance, while the war is rather a war of spies and traitors than of archers and men-at-arms. Meanwhile the domestic affairs of Scotland were those of a den of thieves, and almost the only solid party was that of the Church. Ecclesiastics, therefore, drew power more and more into their hands, and, with the possession of power, the clergy became more and more corrupt.[1] The records, therefore, make a deplorable story, only relieved by the romance of violent adventures. But these romantic details, so excellently handled by Scott, reach us on late and bad authority, as through Boece and Lindsay of Pitscottie. Whenever we can check Pitscottie by documents he is almost invariably, and most ingeniously, wrong. He is, therefore, seldom cited here, though for quaint interest he is the Herodotus of Scotland.[2]

The murder of James I. was, undoubtedly, a shock to his subjects. The curious contemporary account avers that "all men" ascribed it to his insatiable greed; but, on the other hand, a contemporary saw runs—

> "*Robert Graham,*
> *Who slew our king,*
> *God give him shame!*"

The heart of the late king, like the heart of Bruce, was sent on pilgrimage to the Holy Land, and was brought home again, from Rhodes, by a Knight of St John.[3] After the murder the queen left the dangerous neighbourhood of Perth, for Edinburgh Castle. It was unsafe to crown the young James II. in Scone, and the coronation was held at Holyrood, Parliament meeting in Edinburgh (March 25, 1437). At this time Sir William Crichton, not of a leading house, was Governor of Edinburgh Castle, and the position gave him an influence which he never lost. The queen was given the custody of the boy king, aged only seven, and the Earl of Douglas was king's Lieutenant. It must have been observed that, throughout the reign of James I., this Douglas plays but an inconspicuous part. For one reason or another, pride, policy, or indolence, he now permitted the affairs of the realm to take their own course. Two men of no very renowned family, Crichton and Sir Alexander Livingstone of Callendar (a privy councillor of James

I.), divided the power and competed for the custody of the king. The great old houses had been severely shaken, nor did Douglas choose to assert himself during the brief remainder of his days. However, he drew his salary as Regent.

Crichton seems to have been one of the instruments whom a king in the position of Louis XI. or James I. is likely to select, as trusty rather than dangerous. He was not only keeper of Edinburgh Castle, a strength of supreme importance, but Master of the Royal Household, and Sheriff of Edinburgh. It is not unusual for such a servant to be no *persona grata* with his master's wife or widow. Boece tells us (we can never trust Boece) that the queen, pretending a pilgrimage to White Kirk, carried off the young king, concealed in a box, to Stirling, where Livingstone commanded. But Boece ignorantly makes Livingstone Governor of the realm, and Crichton Chancellor. The real Chancellor was Cameron, Bishop of Glasgow; Douglas, not Livingstone, was Lieutenant. Boece, at best, must obviously have relied on oral tradition.[4] However the truth may be as to the story of the king in the box, James was under Livingstone at Stirling, before March 13, 1438-39, when Parliament bids the Lieutenant to arrest "unlawful men holding castles under suspicion of raising rebellions." Crichton may be alluded to; more probably general lawlessness is intended.

Boece announces that Livingstone now besieged Crichton in Edinburgh Castle, and that the affair ended in a coalition between them. It is certain that, in May-June 1439, Crichton succeeded Bishop Cameron as Chancellor, while Livingstone retained possession of the king's person. Within a few days Douglas died, being succeeded by his son, a mere boy, and no new Regent was appointed. The country was full of feud and spoliation, as Bower laments in his regrets for James I. Sir Thomas Boyd of Kilmarnock, whose house was, later, to have a brief period of power, fell on and slew Stewart of Derneley, Constable of the Scots forces in France. The murder was followed by a pitched battle of Stewarts and Boyds, which was fought with singular resolution, the combatants taking breath by mutual consent (as in a series of rounds), and coming up to time at the sound of a trumpet. The Stewarts were victors in this battle of Craignaught Hill, in Renfrewshire, which was but an example of the illegal system of "bands" by which nobles, with their retainers, were united into hostile camps. The final fruit of "bands" was the Covenant, or so the enemies

of that sacred institution ventured impiously to remark at the time.

Under this pressure of disorder the queen, to secure a protector, married Sir James Stewart, the Black Knight of Lorne. Their sons, Buchan and Atholl, latterly play important but obscure parts in the reign of James III. The husband's protection was unavailing. On August 3 (1439), Livingstone seized and imprisoned the queen in Stirling Castle, "till she was released by a body calling itself the Three Estates," on the last day of the month. As for Stewart of Lorne and his brother, Livingstone "put tham in Pittis and bollit thaim." What the Auchinleck chronicler means by "bollit" is obscure: "boiled" he can hardly mean, for the unlucky gentlemen were afterwards released. The attack on the queen and her husband was violent, and ten years later James II. gave certain lands to Alexander Napier, a gentleman of the bedchamber wounded in the defence of his lady. The wife of James I. had fallen on evil days, since the hour when the poet-king first saw her (as the Muse alleges) walking among the roses. In the Parliament at Stirling, a mere party assemblage (September 4, 1439), the queen forswore rancour against Livingstone, and resigned her Royal son to his keeping; she even affects to be convinced that, in arresting herself, Livingstone acted from motives of sincere loyalty![5] The signet of William, the new Earl of Douglas, was attached to this curious "indenture" of amnesty, which, after all, was not destined to protect Livingstone.

Douglas, a boy of seventeen, was in a position that might have turned any young head. He was Duke of Touraine, his oath of allegiance he sent by Malcolm Fleming, son of that Sir David Fleming whom the Douglases slew in 1406. That feud had been abated. In Scotland he owned land from the Cree to the Forth, and could probably bring 5000 men, including many knights and barons, into the field. Not intrusted with his father's office, he assumed an air of indifference and contempt, abstaining from attendance on the Council. Meanwhile Crichton, not content merely to be Chancellor, stole from Livingstone the person of the king. Under cloud of night he rode from Edinburgh Castle and ambushed his band in the woods of the royal chase of Stirling, where Bruce posted his men before Bannockburn. When the young king rode out early next morning he was surrounded. Crichton, kneeling, begged for the privilege of releasing him from

Livingstone, and led him to Linlithgow, whence he was escorted to Edinburgh Castle by an armed force. The clergy reconciled Livingstone and Crichton; the former recovered the person of the king.

Meanwhile famine and an invasion of the Macleans devastated the country. Life, viewed from this distance, presents itself as a scene in which every man must "band" himself with others under a leader, must ever be ready to mount steed and buckle on brand, to avenge some ancestral murder, to burn some neighbouring village, or to defend his own life, crops, and home. The very monks were involved in these feuds, as we shall see, and the recorded trials of the following ages prove the unremitting activity of crime. Rulers like Crichton and Livingstone, mere politicians of faction, could not cope with such a state of affairs, and the frequent laws against private war and raiding were read by the light of blazing barns and burning peel-towers. Had the young Douglas been a man mature and loyal, he might have restored order; but he was a proud boy, and Scotland practically suffered at once from two minorities. He was of royal descent from the second wife, Euphemia Ross, the undeniably legal wife, of Robert II. His maternal uncle was that Malise from whom James I. had wrested the earldom of Strathearn. Among the feuds and pretensions to which every such alienation gave rise, it is possible that young Douglas may have conceived high hopes or uttered imprudent words. He was himself the great-grandson, in the female line, of Robert III. In the obscurity we may conjecture that, at least, Douglas thought himself the best guardian of the young king, now in the hands of men both impotent to secure order, and, by family, far inferior to himself. In any case he was so powerful and so disdainful that he united Livingstone and Crichton in a common conspiracy against him.

He was asked to Court, as if it was intended to gratify his legitimate ambition by listening to his counsel. Contrary to his father's legacy of advice, he carried with him his brother, David, and was also accompanied by his mentor, Fleming of Cumbernauld. First stopping at Crichton Castle, where he was hospitably entertained, he rode on to Edinburgh, and the Castle gates closed upon him in this *guet-apens*. The boy king was fascinated by his splendid young kinsman: all seemed well. But the Douglases were seized at dinner, a hasty mock trial was held, despite the tears of James, and the two young Douglases were beheaded in

the back court of the Castle.[6] Sir Malcolm Fleming was also done to death four days later (November 24, 1440). It is difficult to understand how two boys can have been engaged in any serious conspiracy; and the stain is deep on the memory of Crichton.

The unhappy lad was succeeded by his granduncle, James, Earl of Avondale, called the Gross. He had been a stirring man, many years earlier, one of the slayers of Sir David Fleming, in 1406. That he connived at the death of his young kinsmen is an unattested charge. Galloway, Wigtown, and other Douglas estates now passed to the sister of the slain boy, the Fair Maid of Galloway, at this time a little girl. The new earl, the Gross, died three years after his accession, and was succeeded by his son, William, one of the most powerful and turbulent of the House. In 1443 this new Earl of Douglas, William, successor of the Gross, a young man of eighteen, came into favour with James, himself a boy of thirteen. He took a kind of revenge on Crichton, if his fat father did not, by procuring his disgrace. By Livingstone's aid, Douglas reunited the family estates by a marriage with the Fair Maid of Galloway, still a child. His royal and other connections confirmed his overweening power. The Crichtons on one hand, and Douglas and Livingstone on the other, now harried each others' possessions, and the usual evils of a minority were endured. Everywhere were murders and private wars. The ruling houses broke up into new associations. Dumbarton Castle was taken in one feud; the Atholl Stewarts and the Ruthvens fought on the North Inch of Perth; Douglas combined, as we saw, with Livingstone, secured the friendship of the king, and was appointed (it is believed) lieutenant-governor of the realm.

This junction of Livingstone and Douglas boded ill for Crichton, especially, perhaps, as Livingstone, now an old man, handed over the king, and Stirling Castle, to his son, Sir James. Douglas now, armed with a royal order, demanded one of the Crichton castles, Barnton in Mid-Lothian, destroyed it, and summoned Crichton to Stirling on a charge of high treason. In November (1443) he was outlawed. Crichton, strong in the tenure of Edinburgh Castle, retorted by harrying the lands of Douglas. Parliament confiscated his own estates, while he bided his time in the Castle of the Maidens. He was, of course, deprived of the chancellorship, in which he was succeeded by Kennedy,[7] Bishop of St Andrews, who was recognised even by the later Protestant historians as an ex-

ception to the pestilent nature of prelates, and was the founder of St Salvator's College in St Andrews. The cause of Crichton now seemed forlorn; but Kennedy was thrown into his arms by the menacing strength of Douglas. That noble was not only leagued with the Livingstones, but, some say, banded with the Earl of Crawford, father-in-law of the niece of that Earl of March, son of the renegade, whom James I. had despoiled. Kennedy, therefore, turned towards Crichton. Instantly an attack was made on the bishop's estates by Crawford, Ogilvy, Livingstone, and Robert Reoch (1445).[8]

Kennedy was now at feud with the lieutenant-general (Douglas), the king's governor, Sir James Livingstone, and the powerful and haughty Crawford. One weapon he retained, the Curse. He excommunicated Crawford, "cursit solempnitlie with myter, and staf, and buke, and candil, contynually a year."[9] The curse was to work potently. Crichton, meanwhile, stood a siege of nine weeks in Edinburgh Castle. He was allied, not only with Kennedy, but with the rival house of Douglas, the house of Angus, which was to overthrow the senior branch and rise into baneful power on its ruins. The siege ended in a compromise. Crichton received an indemnity, and a share of power. Bishop Kennedy's curse now began to act. Exactly a year after he laid it on, the Earl of Crawford was mortally wounded in private war. His son, the Master of Crawford, later called the Tiger Earl, had been justiciary of the monastery of Arbroath. The monks deposed this noted ruffian, and appointed Ogilvy of Innerquharity. The clan of Crawford, the Lindsays, now seized the abbey, and a battle was fought. The Douglases and Hamiltons sided with the Lindsays. Sir Alexander Seton of Gordon, later Earl of Huntly, was a guest of Innerquharity, and, by Scots custom, fought for the man with whom he had dined. The Earl of Crawford was mortally wounded —"got the redder's stroke"—in an attempt to stop the fighting. The Crawford party won, and Innerquharity is said to have been smothered, in the castle of Finhaven, by his cousin, the widowed Countess of Crawford (January 23, 1445-46).

At this time nothing but the bishop's curse existed as a protector of law and order. The young king had only the dubious Crichton, now again Chancellor, and the Bishop of St Andrews on his side: the condition of the realm was desperate. The queen-mother died in Dunbar, then the hold of Patrick Hepburn,

a notorious freebooter.[10] James married, on July 3, 1449, Mary, a daughter of the Duke of Gueldres, after renewing the Ancient League. His subjects in the French service had been driving the English from province to province, and from town to town. In a well-known miniature we see Charles VII. paying his devotions, surrounded by the Scots Guard, whose colours are green, white, and red. While so friendly with France, Scotland had been waging a Border war with the distracted England, where three parties were struggling for control. The English were defeated in a great battle on the water of Sark, by two brothers of Douglas (October 23, 1449).[11] The fighting was of the nature of feud between Douglases and Percys, the Crown endeavouring to secure peace. But James was tired of inaction. He had recalled from exile his step-father, Sir James Stewart, and (an ill omen for Livingstone) the son of Sir Malcolm Fleming. A few weeks after his marriage (July 3, 1449) he seized (by what accession of force we do not know) the Livingstones, father and sons, expelled their creatures from office, confiscated the family lands, and imprisoned his captives in the dreary Castle of Blackness. After a Parliament held in Edinburgh (January 1450), two of the sons were executed. Alexander Napier was rewarded for his defence of the queen-mother when she was seized by Livingstone at Stirling. The old Sir Alexander Livingstone was attainted, and imprisoned in Dumbarton Castle, with Dundas of Dundas. "And this was a gret ferlie," says the Auchinleck chronicler.

The Lord of the Isles had, before this date, married the daughter of Sir James Livingstone, the king having made the match. James Livingstone escaped to the north, and was later made Governor of Urquhart Castle, by his son-in-law, the Lord of the Isles.[12] For what precise reason the Livingstones were thus uprooted is unknown, probably for some new plot, discovered or imagined; but Douglas received a share of their spoils. Conceivably a promise of this reward may have made so potent a lord acquiesce in the destruction of his allies, the Livingstones. James rested on Kennedy and other clerical advisers, and we may suspect the astuteness of the Church in the policy which divided Kennedy's foes, Douglas and the Livingstones.

A useful piece of legislation was done by the Parliament which condemned the Livingstones. Tenants of lands on leases for a term of years were not to be removed if the estate changed hands during

their tenure. This was ordained "for the safety and favour of the puir pepil that labouris the grunde, that all tenants having tacks" (leases) "for a term of years, shall enjoy their tacks to the ish of their terms, suppose the lords sell or analy their lands." Mr Cosmo Innes thinks that the hand of James himself may be detected in this act of justice. He found documentary evidence that the king, hunting on the Findhorn, made compensation to the tenants whose labours he disturbed.[13] While this and other acts of pacific tendency were passed, Douglas "was constantly at the Court and with the king (1450), and is a witness to nearly every royal charter."[14] Yet our late and fabulous authorities, Pitscottie and Boece, represent him as constantly breaking the laws which it was his duty to enforce. Still later historians have founded a theory of Douglas's character and conduct on the belated romances of Boece and Pitscottie. For example, we hear of Douglas's insolent cruelty in the murder of Colville of Oxenham and "a considerable body of his retainers."[15] But the only contemporary or nearly contemporary account merely says, "The year of God 1449 Sir James Auchinleck was slain by Richard Colville, the twentieth day of April, and within five or six days cowardly gave over the castle" (that is, apparently, Colville gave it over) "and was beheaded, and iii sum with him. And incontinent after that he came forth, the castle was cast down by Earl William of Douglas." To all appearance Colville had killed Auchinleck, and seized his house. Colville was then subdued and executed by Douglas, as lieutenant-general. But, if so, why destroy Auchinleck's castle? It is a mystery. The whole Douglas tragedy, indeed, is mysterious. Assuredly it would be very unjust to condemn Douglas on the random and prejudiced evidence of Boece and Pitscottie. From about November 1450 to April 1451, Douglas was abroad, visiting Rome at the time of the Jubilee.[16] About this time, for what reason is not known, James invaded the earl's lands, and destroyed a fortress of his on the Yarrow.[17] But Douglas, returning through England, was at once appointed, with Angus, Crawford, and some prelates, to treat for a prolongation of the truce with England. In June 1451, Douglas "put his lands in the king's hand," and received them back, "and all good Scotsmen were very blythe of this accordance"[18] (June 25, 1451). Throughout the years from 1446 to 1451, Mr Tytler represents Douglas as engaged in a treasonable band with Crawford and the Earl of

Ross, Lord of the Isles. James is now said to have known of, and now to have been ignorant of, this conspiracy. But there is no evidence for the early date of this band, nor is it known that the new Lord of the Isles, John, who succeeded in May 1449, was engaged in it. Pitscottie now credits Douglas with the murder of MacLellan of Bomby, in circumstances of picturesque atrocity. MacLellan had declined to obey a summons to an illegal gathering; Douglas arrested him; the king sent Sir Patrick Grey, MacLellan's uncle, to remonstrate: Douglas had MacLellan decapitated while Sir Patrick dined, and then regretted that he could only give up his captive in a fragmentary condition. Now, as Hector Boece does not tell this tale, we may fairly believe that, in his day, it had not been invented. Pitscottie locates the crime in Douglas Castle, others in Threave Castle. Meanwhile charters and other documents show that Douglas was constantly with James from June 1451 to January 1452.[19] James could not have thus admitted to his presence a noble who had inflicted on him an insult like the murder of MacLellan. It is not mentioned by the Auchinleck Chronicle.

Up to the middle of January 1452, Douglas was holding the place to which his rank entitled him. In February, James dirked Douglas with his own hand, in his own house of Stirling Castle, and under trust. The story of this almost unparalleled act of perfidy may best be told in the words of the contemporary or nearly contemporary chronicler, modernised in spelling:—

"That same year [February 22, 1451-52] Earl William of Douglas was slain in the Castle of Stirling, by James the Second that had the firemark in his face. The foresaid king sent out of Stirling, with William Lauder of Haltoun, a special assurance and respite under his privy seal, and subscribed with his own hand. And all the lords that were with the king at that time gave bodily oaths to keep that respite and assurance, and subscribed each man with their own hand. . . . This being done, the foresaid William Lauder of Haltoun passed to the foresaid Earl of Douglas, and brought him to Stirling to the king, on the Monday before Fastern's Eve (February 21). And this same Monday he passed to the castle, and spake with the king, that took right well with him by appearance, and called him on the morrow to the dinner and to the supper, and he came and dined and supped. And, they said, there was a band between the said Earl of Douglas, and the Earl of Ross" (John of the Isles), "and the Earl of Crawford. And after

supper, at seven hours, the king then being in the inner chamber, and the said Earl, the king charged him to break the said band. He answered that he might not, nor would not. Then the king said, 'False traitor, since you will not, I shall,' and started suddenly to him with a knife, and struck him in the collar, and down in the body, and they said that Patrick Gray" (uncle of MacLellan of Bomby) "struck him next (after) the king, with a pole-axe on the head, and struck out his brains." Sir Alexander Boyd, Lord Derneley, Sir Andrew Stewart, Sir William Cranstoun, Sir Simon Glendinning, and Lord Gray also stabbed the dead man. Yet, in the last June, Douglas and the king had been reconciled, "and all good Scots were right blythe of that accordance."[20] To explain this crime, the best theory seems to be that which alleges that, in February, the Tiger Earl of Crawford was already in rebellion, that James knew of, or suspected, a band between him and Douglas, and that the safe-conduct (which surely cannot have been issued every time that Douglas met his monarch) implied that the king's suspicions were aroused. He wanted a conference with Douglas, and, at least, desired to have him in his power. The dirking was probably the result of sudden passion, and of wine. But Mr Tytler's theory is that Douglas, in alliance with the Yorkist party in England, and with Crawford, was to head a rising, and MacLellan of Bomby was murdered for refusing to be concerned in it. There are, in fact, traces of intrigues between Douglas's brother and England in 1451.[21]

When Parliament met, on June 12, they exonerated James (1) because the Earl had publicly and contemptuously renounced the protection of his safe-conduct, on the day before his murder; (2) because he had been guilty of oppressions, and entered into conspiracies (of which no documentary proof is given though some is alleged); (3) that he was guilty of his own death, by resisting the king's gentle persuasions to aid him against rebellious subjects.[22] Crawford was probably one of these rebels. Why Douglas should have disdained a safe-conduct which he certainly did not take into the Castle with him, it is difficult to see, unless he meant to show "a number of barons," before whom he boasted, that he did not believe James dared to harm him. The probability is that Douglas was in a band with Crawford; that, though not aiding him, he declined to act against him, and that James, flushed with wine, stabbed his guest by his own hearth.

More than a month after the murder (March 27), Douglas's brother, James, insulted the king and lords at Stirling, by dragging the sealed safe-conduct at a horse's tail, and spoiled the town, and burned it. He had with him 600 men, including his brother, Earl of Ormond, and the Lord Hamilton. Meanwhile James was at Perth, on his way to join Huntly against Crawford. Thus the Douglases possessed the safe-conduct, which the Earl must have left at home (as disdaining its protection, or as evidence in case of treachery?).[24] Nothing could better illustrate the anarchy of the age than the defiance of the Earl and the inhospitable crime of the king. And, till James VI. entered England, such crimes were habitual in Scotland.

It may have been in revenge for the murder, or to keep the alleged "Band," or, as the Auchinleck chronicler says, in revenge for the non-payment of the dowry due to him with the daughter of Sir James Livingstone, that the young Lord of the Isles, in March 1452, took Urquhart Castle, Inverness Castle, and the fortalice in Ruthven of Badenoch. Therein he placed his father-in-law, Sir James Livingstone, who said he had the king's writ for it, and who actually received his salary, and, in 1454, was made Great Chamberlain. This escapade of the Lord of the Isles, a lad of seventeen, was overlooked—James being unwilling, or unable, to punish it. The king moved north to Perth: Huntly (Sir Alexander Seton of Gordon) was assailing the Tiger Earl, whom he defeated near Brechin, on May 18. Thereafter, as we said, a Parliament held at Edinburgh in June acquitted James, on the ground of Douglas's manifest treason.

The new Earl of Douglas, James, brother of the slain man, defied the king by a cartel nailed on the door of the place of Assembly. Crawford was now attainted, while Sir James Crichton of Frendraught, son of the Chancellor Crichton, was "beltit Earl," and Hay was created Earl of Errol. James then wasted Ettrick Forest (in Douglas's country) and other southern regions. Meanwhile, in June, Douglas was offering his allegiance to Henry VI.[25] Yet in August, Douglas with Hamilton[26] made submission to James, and promised oblivion of his injuries. Probably the raid on his lands had the effect of subduing Douglas for the moment. He was soon allowed to marry his cousin, his brother's child-widow, the Fair Maid of Galloway, and, in April 1453, was appointed one of the commissioners to treat of a truce with England. Crawford also sub-

mitted, but died in September. According to some theories of chronology, Douglas, in May, visited the Lord of the Isles in Knapdale and probably arranged a rising. But Douglas was certainly in London, as a commissioner, on May 23 of this year, and the dates are much confused. Donald Balloch (whose head had not been cut off in Ireland, as James I. believed), with the navy of the Isles, raided in Renfrewshire, in the old fashion of Somerled, and levelled Brodick Castle.[27] He may have been stimulated by Douglas. We dimly recognise that Douglas was intriguing, with England if not with the Celts, after abandoning his original idea of turning renegade and resisting his king by force. In England he procured the release of the dispossessed Earl of Strathearn, so long a hostage in England for the ransom of James I., and the old claims of the descendants of Euphemia Ross might, in Strathearn, be revived. On this Douglas must have calculated.

James at last seems to have taken the initiative: he was weary of waiting for overt action, and tired of the intrigues of the Earl. The king overthrew the Castle of Inveravon (1455), there was fighting in Lanarkshire; Abercorn Castle was besieged, Hamilton deserted Douglas's for the king's party; Douglas's brothers, Moray, Balvany, and Ormond, were defeated on the Border, at Arkinholm near Langholm (May 18); Moray was slain, Ormond was taken and executed; the Earl had escaped to England. The leader of the royal army was another Douglas, the Earl of Angus, whose house was to take up the tradition of the elder branch. The last stand of the Douglases was made at Threave Castle, in Galloway, where that fatal weapon, "the king's great bombard," a kind of fetich of the monarchy, did much execution. In the records this huge piece of ordnance is often mentioned; whether it was "the Lion" of James I. is not certain. Galloway legend is full of romantic tales of this siege, and attributes the big piece, "Mons Meg," now in Edinburgh Castle, to the skill of the local blacksmith. Threave fell at last, and was garrisoned for the king. In a Parliament meeting on June 10, 1455, Douglas, on June 12, his mother, and his surviving brother were attainted, and the Wardenship of the March was declared no longer hereditary. Douglas, meanwhile, was cherished in England, where he received a pension of £500 a-year, till his estates should be returned "by the person calling himself the King of Scots." With this fall of the Douglases for that time, the interest of James's reign, such as it is, abates. It

appears that the pensioner of England, however brave personally, was of a wavering resolution. He did not avenge his brother's death except by vapouring; he was constant to no policy, though for thirty years an enemy of his country; and he was absent from the final struggles of his house. That house really seems to have sinned more by lawless arrogance, and by inchoate designs of treason, than on any settled plan of ambition. It had no grounds of claim to the royal succession, and was strong mainly in wealth and the prestige of the fighting heroes of old, and, indeed, of the victory on the Sark. Its measure of popularity was due to the friend of Bruce, to the warrior of Otterburn, and to the fatality which dogged their descendants.

New arrangements were now made for warning the Border of invasion by means of beacon fires (1455). James was, in fact, meditating an attack on England, in combination with France. Letters passed between him and Charles VII., who, in the distracted state of England, had won back his country, and had leisure to clear by legal proceedings the character of Jeanne d'Arc. From England came a strange scolding letter, reviving the old claim of superiority. This claim, we may remark, had never really been abandoned. We find Edward IV. writing complacently about "his rebels of Scotland," who, again, later styled him "the reiver Edward, calling himself King of England." We see, and shall see, how Douglases, Macdonalds, and even unworthy Stuarts, were ready to act again the *rôle* of Edward Balliol, to dismember Scotland, and all to win a subject crown. But for the distractions and vacillating fortunes of the wars of the Roses, England would have asserted eagerly, and perhaps made good, the antiquated claims of Edward I. James made an abortive Border raid (1456) by way of reply to the insolent English despatch, but was disappointed in his hopes of French co-operation. A truce with England (where the Lancastrians, not the friends of Douglas, the Yorkists, were now in power) ensued, from July 1457 to July 1459. Friendly relations with the Lord of the Isles were cultivated. On July 10, 1460, the Lancastrians were defeated at Northampton, Henry VI. was made prisoner, his queen and eldest son were setting forth for Scotland. James regarded his recent truce as made with Henry VI., and seized the occasion to besiege Roxburgh Castle, aided by a force of Islesmen. But, on August 3, 1460, one of his favourite huge bombards exploded, and a wedge of wood,

used to tighten the iron hoops round this primitive piece, flew off, and slew James of the Fiery Face. The Earl of Angus, who had aided in putting down his kinsmen, the Douglases, was wounded at the same time. The army, undiscouraged, took the castle, which England had held so long, in the course of the week.

James died in his thirtieth year, when, after a minority of the most distracted and perilous kind, he was at last master of his own realm. How much of his success was due to the statecraft of Kennedy, to the sagacity of Crichton, and to the natural inability of his nobles for combined action, it is not easy to decide. The one great crime of his life seems, on the whole, to have discouraged his hostile lords. That he was not careless of popular welfare may be guessed from the enactments of the Parliament which was sitting when the Livingstones were overthrown. Attempts to foster tillage, and especially the planting of woods and hedges, occur in the Acts of Parliament, and a more or less successful effort was made to raise the value of the coinage. Sumptuary laws forbidding extravagance in apparel attest the existence of more wealth than might seem probable in a country so unsettled. The foundation of the University of Glasgow (1451) spoke to the nascent love of knowledge, or fear of heresy, for the Universities were intended to act as bulwarks against unorthodox opinion. Their studies, whether at home, or pursued at Paris, Louvaine, and other foreign seats of learning, had precisely the opposite result.

JAMES III.

The purpose, or one of the purposes, of history, is to trace the stages in human evolution through which things came to be what they are. Now in the fortunes of Scotland, during the reign of James III., events seem, as it were, merely to "mark time." There is no great change in institutions, as during the reign of David I. There is no spirited nor steady national resistance to oppressive foreign claims, as under Robert and David Bruce. Even the new, or revived, ideas of the heretics seem to be in abeyance, or working dumbly underground. We have only the same sad story of a minority; of a kidnapped prince; of ambitions which bring noble houses, new or old, into the foreground; of the overthrow of these houses; of shifting combinations and alliances among the magnates. That the population, the races,

of Scotland were still far indeed from being unified into a homogeneous nation is proved by the accustomed Celtic disorders. A historian may try laboriously to correct the scanty or erroneous statements of casual or belated chroniclers by the evidence of public documents, now collected and printed. He may dwell on picturesque incidents of feud and foray, and on fierce traits of energetic characters. But he finds at this date only rare traces of any great stream of tendency in human affairs.

At most we may observe the poetry of Henryson, and others, singing "like linnets in the pauses of the wind." We recognise in James III. the note of the early Renaissance, — the king's love of art, his bias towards mysticism,—in contrast with the passions and practical interests of the nobles, and, in fact, of human nature in the gross; in all ages and countries perennially the same. An artist, a dreamer, like James III., is, and always will be, odious and unintelligible to the multitude, especially if he occupies high place. It is a familiar tragedy, here illustrated in a melancholy example. The fate of the Stuarts broods over the dark artist king, the fastidious princely amateur, born too early into too young a world. We may fancy him reversing the words of the poet, and exclaiming—

"Je suis venu trop tôt, dans un monde trop jeune."

After Roxburgh Castle had fallen, the last hold save Berwick which the English retained of the cessions of territory yielded by Edward Balliol, James III. was crowned at Kelso (August 10). The events which followed are with difficulty to be traced, from the paucity and confusion of the records.[28] It seems that, after the successful siege of Roxburgh, the Scots took Wark, and through the winter of 1460 were engaged in harassing the English Border. In January 1461 the Court was at Lincluden Abbey, near Dumfries. Here was entertained the fugitive Margaret, wife of Henry VI., with her son, Prince Edward. Three pipes of white wine were consumed at this scene of sorrow, whereof the beautiful ruins crown a knoll above the Nith. Margaret presently returned to England, to renew her struggle for her party.

The first Parliament of the new reign was held at Edinburgh (February 22, 1461). There is no official record, but, from Buchanan and Lesley, we learn that Mary of Gueldres, the queen-mother, retained the private guardianship of James III.,

and of his brothers, Albany and Mar. As regards public affairs, of the queen's party, Graham and Boyd were chosen; of the other faction, the Earl of Orkney and Lord Kennedy, with the Bishops of Glasgow and Dunkeld. Bishop Kennedy, after making (in Buchanan) a speech of vast length, procured this peaceful result. The Privy Seal was in the hands (as records attest) of James Leslie, Provost of Lincluden. He had already, as we saw, been the host of Mary, and of her queenly sister in sorrow, Margaret, wife of Henry VI. James II., it has been shown, was a friend of the House of Lancaster, while his widow had entertained the exiled Lancastrian queen. Bishop Kennedy, of St Andrews, was a partisan of the same house, and of France, as against Yorkist England. But, at or about the time of the Parliament of February 1461, the Yorkists appealed to Philip, Duke of Burgundy, the uncle of Mary of Gueldres. He, in turn, despatched an envoy to the Scottish queen-mother, who won her over to the interests of the House of York.[29] It was in vain that Kennedy offered to Mary of Gueldres a marriage between her daughter and the Prince of Wales, son of Henry VI. Mary of Gueldres was now firm for York; Kennedy and the Earl of Angus were staunch to Lancaster. There was, says Kennedy, all likelihood of war between the queen-mother's party and his own. "Almost all the great lords," the bishop wrote to Louis XI., "said that, to please the King of France, I was putting Scotland in jeopardy." He was even in danger of being assassinated (he avers) by the Scottish partisans of York and England. His attitude is the old attitude of the Scottish ecclesiastics, and his position between Mary of Gueldres, England, and France is that of Cardinal Beaton, in 1543, between Arran, France, and Henry VIII. Through the confused intrigues of 1461-1463, we find strife between the queen-mother's Anglophile and Kennedy's Gallophile parties.

The success of Margaret in England, in the early spring of 1461, was brief indeed. On March 30 the Lancastrians were routed at Towton. Henry VI. and Margaret fled to Berwick, prayed for Scottish hospitality, rewarded it with the gift of the much-coveted castle and town of Berwick, and, accompanied by the Duke of Somerset, took refuge north of Tweed. If Somerset is rightly said to have won the heart of Mary of Gueldres, the task of Kennedy must have been facilitated. The royal English exiles, who handed Berwick over on April 25, were sheltered at the Black Friars in

Edinburgh, and at Linlithgow Palace. But their day of favour was brief and perilous, and Kennedy writes that he was obliged to protect Henry VI., at his own expense, in the Castle of St Andrews. The "holy shade" haunts not only Eton, but the foam-fringed headland on the Northern Sea.

In the summer of 1461, at all events, the Scots were fighting for Lancaster. They beleaguered Carlisle, and, if it be true that they were defeated with the loss of 6000 men, the women might well cry, "Woe worth Bishop Kennedy!" as, later, they were to wail, "Woe worth the Cardinal!" while they gazed on the flames of Edinburgh.[30] Meanwhile, in the very month of June 1461, when Carlisle defied the Scots, Edward IV. was crowned. He had two strings, or rather three, to his bow in dealing with Scotland. He could work on Mary of Gueldres, whose admirer Somerset was soon about to make his peace with England. He could also approach the official Government of James III. And he could stab Scotland in the back with the Celtic dirk. By the aid of the exiled traitor, the Earl of Douglas, he could secure the alliance and obtain the homage and fealty of John, Earl of Ross and Lord of the Isles, and of Donald Balloch (p. 305).

All these strings were pulled. On June 22, 1461, Douglas, his brother John, and others, were accredited as envoys to John of the Isles and Donald Balloch.[31] On August 22 Edward gave Warwick powers to treat "with our dearest cousin," James III., "de Treugis."[32] The mission of Douglas was successful. On October 19, 1461, John of the Isles, "from our Castle of Ardtornish" (now a mere shell of masonry above the Sound of Mull), appointed his ambassadors to Edward. They were Ranald of the Isles, and Duncan, Archdeacon of the Isles.[33] Meanwhile Edward was using one of his other strings. He had an unofficial kind of envoy with the Celtic prince, but he also appointed Robert Ogle to treat for a truce with the Scottish Government (November 5, 1461).[34] The envoys of the Celts were at Westminster on February 8, 1462, "long conferences" were held, and this was the result:—

1. At or after Whitsuntide 1462, the Island chiefs shall become Edward's vassals.
2. They shall be Edward's allies in all wars which he may wage in Scotland or Ireland.
3. Their wages in peace and war are fixed.
4. If, and so far as they are successful, they shall share all con-

quered lands north of Forth, holding them by homage and fealty to England.

5. Douglas shall enjoy his own estates from Forth to the Border.
6. They shall be included in truces.
7. John, Earl of Ross and Lord of the Isles, Donald Balloch, and John, son of John, shall approve, confirm, seal, and return the treaty before July 1, 1462.

It will be observed that this treaty is not really concluded in February-March 1462, but awaits ratification by the Celts, and so is not yet acted upon, at least by Edward.[35] He did, however, gratify the Celtic envoys with presents, including crimson satin and cloth of silver.[36]

Hardly was the ink dry on the treaty of Westminster and Ardtornish, when Queen Margaret left Scotland to seek succour from Louis XI. (April 2, 1462). No sooner was Margaret's back turned than Mary of Gueldres, Edward's third string, carried her royal son to meet Warwick at Dumfries. A marriage between Mary and Edward IV. was proposed (Kennedy). In June, Mary met Warwick again at Carlisle, with the odd result, it is said, that the traitor Douglas was disgraced by Edward. "As a sorrowful and sorely rebuked man he lies in the Abbey of St Albans, and shall not be reputed nor taken but as an Englishman, and, if he comes in danger of the Scots, they to slay him."[37] This was either a mere ruse, or Edward IV. changed his mind about the disgrace of Douglas, when Kennedy declined to meet the English, who without Kennedy would not treat. He also prevented a meeting of Parliament at Stirling, which was to confirm the Carlisle arrangements. So he reported to Louis XI. This interference of Kennedy's restored Douglas to Edward's favour. On October 19, 1462, he received letters of assurance for himself and any Scots whom he might persuade to join him in making war on England. The occasion is obvious. Leaving Scotland for France in April 1462, in September Queen Margaret had attacked Northumberland; Louis XI. had lent her Pierre de Brézé, with a small force. She took Alnwick, Bamborough, and Dunstanborough, but got no more by these than did the Jacobites by a similar success in 1719. Edward recaptured the holds, and, on March 20, 1463, gave full force to the treaty of Westminster-Ardtornish of February 1462.[38]

The English aspect of the Celtic treaty now displayed itself. The Lord of the Isles had gone reiving in his long galleys; had made his

son, Angus Og, his lieutenant in the northern counties, and seized the customs. Douglas was sent before Edward's face to clear the Border. Edward himself was expected with an army of invasion. But Bishop Kennedy, old and frail, put on helm and corslet, and marched with the boy king against the enemies of his country. Douglas was defeated, while his brother and fellow-envoy to the Celts was executed,—"justified," says Kennedy. From a letter of de Cran to de Crouy, written at Boulogne, July 15, 1463, we hear about Edward's northern march. We also learn that Mary of Gueldres is said to have married Lord Hailes (of the later Bothwell's turbulent House of Hepburn), and that Hepburn has stolen James out of the hands of Kennedy and the Estates. But as to this, Kennedy says no word, and Ferrerius declares that Hailes was a married man, though the lover of Mary of Gueldres.[39] These events were prior to July 15, 1463: in June Scottish envoys had received a safe-conduct to Edward.[40]

Loyal as Kennedy was to Lancaster and France, he was not *plus royaliste que le Roi.* On October 24, 1463, Louis XI., deserting the Red Rose, concluded a truce with the White. The hearts of the Scottish Lancastrians under Kennedy were subdued, especially as Angus, their other chief, was dead. On December 8, 1463, Kennedy received a safe-conduct to treat with Edward,[41] just a week after Mary of Gueldres died. On April 5, 1464, Edward appointed ambassadors to deal with Scotland. At this very time Kennedy wrote, for Louis XI., his despatch on the history of the last three years. He, for his part, received a very considerable annual pension from the English king.[42] The disappointed Douglas was consoled by the gift of "Crag Fergus" in Ireland.[43] He had received many other gifts and presents. Kennedy had secured a truce with England to October 31, 1464: on June 3, it was prolonged for fifteen years,[44] and in October 1564 arrangements were made for treating about a real and perpetual peace.[45] Kennedy's diplomacy was successful. He had not, like Beaton, stood by a losing cause, ruined at Hexham fight; but then, unlike Beaton, he had to deal with a Catholic king of England. But he had run his course. Between July 2 and July 18, 1465 (when his see was vacant), the good bishop entered on his rest.[46]

Kennedy's share in the politics of the age, the power of his curse, the soundness of his diplomacy, and his adherence, while adhere he might, to the Auld Alliance, are conspicuous. His wealth was vast,

his virtues (though bishops are "dumb dogs," he preached, and encouraged preaching) were not denied even by later Protestant writers. His ship, his College of St Salvator's, and his now crumbling tomb within the chapel, were reckoned three marvels. Out of that age of strife and anarchy, Kennedy's work "shines like a good deed in a naughty world." Perhaps in recognition, "the earnest professors of Christ Jesus," in 1560, spared his tomb, a beautiful though worn fragment of stone-work, delicate as lace. The chapel which he built for his college is still thronged by the scarlet gowns of his students; his arms endure on the oaken doors; the beautiful silver mace of his gift, wrought in Paris, and representing all orders of spirits in the universe, is one of the few remaining relics of ancient Scottish plate. His college, St Salvator's, is proved by a MS. scrap of inventory to have been most sumptuously endowed with plate, jewels, and rich embroideries. The virtue of this good man seems to have protected one of his benefactions, his "best wand," when the Bastard of Scotland robbed the Church, and Maitland of Lethington robbed the university of the Saint of Scotland.

A few months after Kennedy's decease, Lord Fleming (February 10, 1466) entered into a Band with Lord Kennedy (the bishop's elder brother), and Sir Alexander Boyd, James's instructor in chivalry. Fleming also had a Band with Lord Livingstone and Lord Hamilton; Crawford, Montgomery, Maxwell, and Lord Boyd, too, were in the cabal. Patrick Graham, the new Bishop of St Andrews, was included in the Band. The avowed object was "the spoils of office." Kennedy and Boyd were to get possession of the young king's person, while Fleming was to have "any large thing" that fell in, any good "caduac or casualty" of the Crown.[47]

It was in July 1466 that Boyd, Somerville, Hepburn of Hailes, and Andrew Ker of Cessford seized James, then a boy of fourteen, at Linlithgow, and carried him to Edinburgh. Hepburn and Ker are Borderers, and their houses begin to play unscrupulous parts in the coming troubles. Boyd and his accomplices, forgetting the fate of the Livingstones, secured themselves by a paper indemnity. A packed meeting of the Estates appointed Boyd Governor of the king (October 1466). The Princess Mary, James's eldest sister, whom Kennedy would have wedded to the Prince of Wales, was married to Boyd's eldest son, Sir Thomas, who was created Earl of Arran, while Boyd himself was Chamberlain, High Justiciary,

and Governor. Sir Thomas is much praised for many graces by an English acquaintance.[48]

It was in January 1468 that a Scots embassy went to seek the sea-king's daughter from over the foam—Margaret of Norway. King Christian, unable to pay a dower of 60,000 florins, pledged Orkney and Shetland; and, as the 60,000 have never yet been received, the isles remain a British possession. The question of a yearly Scottish tribute for the isles had nearly caused war, but was arranged by Charles VII. of France in a friendly manner. The Earl of Arran, son of Lord Boyd, was one of the negotiators of the marriage; but as he came and went, returning to the North in 1469, measures were being concerted against him, both at Copenhagen and at home. The new Queen Margaret arrived in Edinburgh and was married at Holyrood in July 1469; her lord was not yet eighteen. Arran took no share in the festivities. His wife, Princess Mary, joined him before he disembarked, telling him that, if he landed, his life was in danger from James, who "had conceived great hatred against him." He therefore fled to Denmark; his father retired to England, where he died; and his brother, Sir Alexander, was executed (for the kidnapping of the king) on November 22, 1469. The Boyd estates were annexed to the Crown, and on the Boyd ruin rose the Hamiltons. They had won favour in 1455 by deserting the cause of Douglas for that of the Crown. The king's sister, Arran's wife, was presently divorced from her husband, and married Lord Hamilton. As late as 1707 there were vague intrigues for placing their descendant (Beatrix Esmond's Duke of Hamilton) on the throne of Scotland, as representing the Stuart blood, through Mary, sister of James III., in the female line. As a consequence of the marriage of the Princess Mary, the Hamilton of the day, down to the birth of Charles I., was often a near heir, or heir after a royal child, to the throne—a fact of great moment in later political intrigues.

It is possible that James III. never had much taste for his royal duties, and probable enough that the Boyds amused him in other and more congenial ways. He was now concerned in an ecclesiastical warfare not easily understood. Patrick Graham, the new Bishop of St Andrews, had been included in the great Boyd Band of February 10, 1465-66. He was half-brother of Bishop Kennedy and of one of the bandsters, Lord Kennedy. His interests were, therefore, safeguarded in this shameless pact, but, of

course, the holy man may have been unaware of the circumstance. He was already Bishop of St Andrews; but Mr Tytler, who calls him "a prelate of singular and primitive virtue," avers that his promotion "was obnoxious to the powerful faction of the Boyds."[49] Yet he had just represented Graham as Boyd's "covenanted friend."[50] It is impossible to reconcile these statements except on the hypothesis (cf. note 53) that the Boyds and Kennedys, despite their band, really did quarrel over the abduction of James in 1466. Graham may then have quarrelled with the Boyds. He does not appear in a later list of their friends in the Abbotsford Miscellany; but the primitive virtue of this prelate did not prevent him from being, in 1466, included in the benefits of their band. He was also mixed up in a typical St Andrews feud between the rector of the university and the provost of Kennedy's new college, St Salvator's. They squabbled about the right to confer degrees, and Graham, *after* the fall of the Boyds, pronounced judgment in the summer of 1470.[51] In 1471-72 he went to Rome, and there obtained the erection of St Andrews into an archiepiscopal and metropolitan See (August 17, 1472). He was also made Nuncio to Scotland, to raise men for a crusade (March 1472). Neville, Archbishop of York, though in prison, protested — both in the interests of the old claims of his see to superiority in Scotland, and because the Bishops of Galloway had been suffragans of York. Graham might seem to have done a good stroke for Scotland; but he had acted without the desire, or consent, of the king and the bishops. The bishops wanted no master nearer than Rome; they did not wish to be taxed for a crusade (as Graham was empowered to tax them), and they aroused the Royal jealousy, coming before the king with a gift. As soon as he landed in Scotland (about November 1473), Graham was cited, inhibited, worried by the Rector of St Andrews University, and finally driven mad, it is said, by the malignity of Schevez, later Archbishop of St Andrews. But was he sane before? A papal Nuncio made an inquiry into his conduct (1476), and the report says that he has proclaimed himself Pope, crowned by an angel, and is incorrigible in all manner of absurdities.[52] Graham has acquired some popularity with historians—Buchanan thinking him a poor victim, and a reforming character; while even Lesley seems to hold that he was hardly treated. A Papal Nuncio drew up the hostile report, three cardinals examined and ratified it; and madness seems the

best explanation of the archiepiscopal vagaries.[53] In these circumstances we may doubt whether, as Mr Tytler says, "the Royal mind" of "the weak and capricious monarch" was "poisoned" against Graham. Indeed Mr Tytler is not constant to his theory that James was capricious and weak. The period is obscure, and the authorities are late, prejudiced, and contradictory; but Graham's action was unauthorised, in the first instance, and his conduct, later, possibly by reason of persecution, was that of a maniac.

At this time Louis XI. was still on the throne of France. A common partiality for "sympil folk," men of low degree, in council, and a common interest in astrology, rendered both James and Louis unpopular.[54] They were, however, men of very different calibre. Louis had nearly persuaded James to come to France, with 6000 men, and aid him in his difficulties with Burgundy, but Parliament remonstrated successfully (July 1473). The Lords of the Articles also counselled the king against granting ready pardons, respites, and remissions, for "slaughter."[55] This was a mode of tiding over altercations with puissant offenders. In Queen Mary's reign she was compelled to pardon the murderers of Riccio; and James, later, was blamed for *not* giving the kind of amnesties which he was now advised not to give. He was also recommended to travel about the country doing justice, but business was not to his taste, and he perhaps did not care to accumulate feud, the certain result of administering justice. An heir to the throne was born, later James IV., for the fulfilment, as it seemed, of the prophecy of a "wich," a woman having a spirit of divination. The king was to be destroyed, she said, by "his own whelp."[56] In the interests of peace with England a match was arranged between the royal babe and the little daughter of Edward IV., but nothing came of this (October 1474) save that Edward paid some instalments of the bride's dowry. The Lord of the Isles was now brought to his knees, thanks to Scottish amity with England, by Argyll, Huntly, and Crawford, and compelled to resign the earldom of Ross and the hereditary sheriffship of Inverness, where the Celtic wolf was magistrate over the Lowland sheep (July 1476). His old treaty of Ardtornish with England and Douglas had come to light, and, to compensate the interesting penitent for the loss of Ross, he was made a lord of Parliament. Possibly Edward IV. revealed the treaty of Ardtornish in the course of friendly arrangements about

ERRATUM.

P. 343, line 9 from foot—
For Thomas *read* Robert Cochrane.

the contemplated royal marriage.[57] John of the Isles had exhibited his contrition before Parliament on July 15, 1476, yet he was amerced of Knapdale and Kintyre, as well as Ross. This was resented by his bastard, Angus Og, who now kept the North in a flame by his attempts to recover Ross, and feuds with his own father. We must conceive the north as (1480-90) the scene of the battle of Lagabraad, where Angus defeated Atholl, the Mackenzies, Mackays, Frasers, and other local tribes; while, later, Angus Og was again victorious at Bloody Bay.[58] Angus had married a daughter of Argyll, who, for his own reasons, induced Atholl to kidnap the baby, whereon Angus raided as far as Blair Atholl, burned a few churches, turned penitent in a hurricane, and made some restitution. The throat of Angus was later slit by a harper in the Mackenzie interest; another Macdonald was utterly routed by the Mackenzies at the battle of Park. The child captured by Argyll, Donald Dhu, was to give trouble on a later day. The children of Somerled had ever been thorns in the side of Scotland, ever ready to ally themselves with England. But it would be extremely unjust to regard this as a Celtic peculiarity. We are to see a member of the house of Stuart, James's brother Albany, repeating the *rôle* of Edward Balliol, while a Douglas was usually found to second any such disloyal intrigues.

Soon after James reached the age of twenty-five there began a series of insurrections and tragedies which are obscurely recorded. The late writers, like Lesley, Queen Mary's bishop, and Lindsay of Pitscottie, represent James as addicted to advisers "of mean and sober estate." He loved music, architecture, and the goldsmith's art. Ferrerius, writing at the time of the nascent Reformation, speaks highly of two of his favourites,—Ireland, a doctor of the Sorbonne and diplomatist, and Rogers, an English musician. Ferrerius had heard members of his school discourse sweet music as late as 1529. There was also Thomas Cochrane—called a mason or stone-cutter—to whom James appears to have assigned the revenues of Mar for a year or two. Though an Italian clerk like Ferrerius might speak with toleration of such men, they were loathed as "fiddlers" and "bricklayers" by the nobles. The singular thing is that Cochrane, Ireland, and Rogers leave little mark on the royal accounts, where James Hommyl, a tailor for whom James had a partiality, is frequently mentioned.

The troubles began in jealousies between James and his brothers,

Albany and Mar, both large, strong, lavish, and popular young princes. Cochrane, so runs the tale, persuaded James that Mar was working against him by arts magical, melting a waxen image in the likeness of the king. Mar was arrested for his psychical experiments, and died under the hands of surgeons. James is accused of his murder; but Drummond of Hawthornden, writing from papers of the contemporary Bishop Elphinstone, alleges that Mar, who had to be bled for a fever, tore off the bandages, and so expired. An old fragment of a chronicle [59] adds that many witches and warlocks were burned as his accomplices, and that he himself was "slain." James's soothsayer and his astrological experts are also said (as we have seen) to have foretold that he would perish as a lion devoured by its whelp. All this is extremely vague, but we note the beginning of executions for witchcraft. The frenzy of that belief was common in Europe, and, down to 1736, or later, some Presbyterians opposed, or lamented, the abolition of laws against sorcery.[60]

Albany had already been imprisoned, his conduct as Warden on the East Marches being reckoned violent. He was charged in 1479 with "treasonable stuffing" of the Castle of Dunbar: with truce-breaking, with being art and part in the murder of John of Scougal, and so forth. It is notable that, at this time, the renegade Earl of Douglas, an English pensioner, was coming and going to the Border "on certain matters to be done by him for the king."[61] Probably Douglas and Albany were already conspiring together. Albany was lodged in the castle: he escaped by the old device of twisting his sheets into a rope, and might have been seen walking to Leith, carrying his page, whose legs were broken in trying the length of the rope. This, at least, was an honourable action to be credited to Albany. He made for Dunbar, which he ordered to be held as his gate of return to Scotland, and thence went to France, where he was received but not aided by Louis XI. Dunbar was battered down by Lord Evandale, and a sentence of forfeiture was left hanging over the head of Albany in exile. England now grew indifferent to the arrangements for the royal marriage (knowing that James was intriguing with Louis XI., as Edward IV. was probably intriguing with Albany), and behaved unfriendly. James made preparations for war, and the Lord of the Isles brought a contingent. James was hindered from crossing the Border by a Papal Nuncio, whose remonstrances did not prevent the English

from making a raid by sea and land (1481).[62] In Scotland was famine, and a copper or billon coinage, unpopular, and doubtless debased. Against the danger from England, an appearance of spirit was shown. Parliament met at Edinburgh in March 1482. Edward IV. was styled "the reiver Edward, calling himself King of England." Preparations for war against Edward and the Traitor Douglas were begun. But the protesting patriots, or some of them, were about to prove traitors as black as Douglas himself, ready to sell Scotland into slavery. Albany, early in May 1482, had been brought over from France to England by one James Douglas. The whole of Albany's intrigues, indeed, are part of the Douglas schemes for restoration. On June 10, 1482, Albany, signing himself "Alexander R.," owned himself to be Edward's liegeman, and promised, if aided by England in obtaining the Scottish crown, to do all that Edward Balliol had done.[63] Gloucester (Richard III.) marched to aid Albany. He took Berwick town, and ravaged widely. James summoned his patriotic lieges. The Earl of Angus, "Archibald Bell the Cat" (who won the nickname on this occasion), with many other lords, gathered their forces, nominally to aid, really to coerce, James. There was much discontent about the "black silver," debased coinage of billon, which was attributed, perhaps wrongly, to Cochrane, the low-born favourite. While Albany, with the Earl of Douglas, and the Duke of Gloucester (Richard III.) were advancing into Scotland, the Scottish earls, led by Angus, Bell the Cat, in force at Lauder, arrested the king in his tent, and hanged Cochrane, with other favourites, over Lauder Bridge.[64] James was now shut up in Edinburgh Castle, and the land was left open to the English and the renegades. Berwick, restored by Henry VI., once more became English as regards the town; Gloucester (August 24) took the castle. Probably, however, the majority of the nobles could not assent to Albany's whole treasonable scheme, of which they must now have had knowledge. Argyll, the Archbishop of St Andrews, and Evandale, the Chancellor, patched up a compromise (August 2). Albany received an indemnity, and restoration to his estates and offices. The instalments of money advanced by Edward IV. towards his daughter's dowry were repaid (the burgh of Edinburgh being surety, and receiving reward in its erection into a sheriffdom), and the English match was dropped. By a kind of pseudo-siege, Albany took Edinburgh Castle from the king's custodians, his uncles, sons of the widow of James I., by the

Black Knight of Lorne. They were respectively Earls of Buchan and Atholl. A new ministry came in, to use modern language, and James was obliged to feign gratitude to them, and to Albany, as his deliverers (Dec. 11, 1482). Albany was made Earl of Mar, and Lieutenant-General. None the less, in January 1482-83, Albany, at Dunbar, sent Angus with other agents into England. The contract of the previous year was renewed (Feb. 11, 1483): Edward was to help Albany to the Crown. Should Albany die, the traitor earls were to be lieges of the English king, and hold their castles for him.[65] It will be observed that Angus and Albany were as ready to betray Scotland as, later, were another Angus and the Solway prisoners of Henry VIII. In fact, England had never any lack of Scottish lords who were ready to sell the national independence.

While Albany's odious arrangement was concluded on February 11, 1483, the 19th of March found him reduced, how we know not, to a covenant of a very different kind with his brother, King James. He acknowledged his treasons; he laid down his lieutenancy; he, Angus, and Buchan were forbidden to come within six miles of James: but he received a full pardon; he kept his estates, and that Border wardenship which, with Dunbar Castle, left the key of the realm in the hands of a convicted traitor. He forswore the intimacy of Atholl, Buchan, and Angus, and entered into a special "band" of manrent with his royal brother, whom he formally exculpated from the slanderous charge of seeking his life by poison. His associates were deprived of office, and some were exiled.[66] It would be interesting to know how this revolution was effected. Probably Albany's English treaty of February was betrayed, and the general sense of the nobles was rallied to James, or, at all events, not sold to England.

Albany, more than half in disgrace, garrisoned Dunbar, went to England, renewed his intrigues, and suffered Dunbar to fall into English hands. The death of Edward IV. now occurred (April 9, 1483), and Albany, deprived of his ally, and having filled up the measure of his iniquities, was condemned in absence, and forfeited, in an unusually full assembly of Parliament, July 7, 1483.[67] He remained conspiring in England. Lesley characteristically blames "certaine of meane lynage, quhome the king had taken agane to be his counsalloures." In what way James won the Three Estates over to his cause, we cannot tell. In February

1484, Lord Crichton, with many others, was forfeited, as an abettor of Albany.[68] James set about strengthening his position by appointing Argyll, with other envoys, to negotiate for his son James a marriage with the Lady Anne, niece of Richard III. They were also to conclude a peace and alliance with England.[69] In September 1484 a three years' truce was settled, not including Dunbar. Albany and Douglas had invaded Scotland (July 22, 1484) with a small force, and had been dispersed at Lochmaben, Albany escaping by the speed of his horse, while Douglas was taken. If ever man deserved death it was he, but he was merely secluded at Lindores, in the monastery, where he died in 1488. He had thrown away the chance offered by public horror at his brother's murder by James II., and had drifted later into the most shameless and most futile of treasons to his country. Albany escaped to France, and was slain in a tournament. Probably no more treacherous prince ever disgraced the House of Stuart; but he had popular qualities, and fares well at the hands of Scottish historians.

After Richard III. fell at Bosworth (August 22, 1485), the policy of Henry VII. promised peace to Scotland. For a king usually described as an æsthetic dreamer, James III. had now reached a strange position of power. Safe from England, allied with France, freed from Douglas and Albany, James boldly remonstrated with Rome as to the freedom of Scottish episcopal appointments. Benefices in Scotland, purchased in the court of Rome, were not to be recognised: the holders were to be prosecuted for treason. This was the national policy which Graham disregarded when he "purchased" his Primacy at Rome. If the wisdom of a Scottish king is attested by the measure of his anxiety for peace and friendship with England, James III. was wise indeed. He had suffered, like others, from a tendency to trust Louis XI., and to side with France. Cured of that folly, he was constantly occupied with negotiations for English marriages. His son's marriage with the Princess Cecily failed; his sister Margaret (perhaps because of a private scandal)[70] did not marry Lord Rivers, nor did his son marry the niece of Richard III. On November 28, 1487, an indenture was made to the following effect: James (second son of the Scottish king) is to marry Katherine, third daughter of the late Edward IV.; James III. is to wed the widow of Edward IV.; and James, Duke of Rothesay, the Scottish king's eldest son, is to espouse another daughter of Edward IV.

Thus the feud about Berwick will cease, James desiring the town and castle to be delivered to him as soon as any one of the three marriages is settled. There is to be a "Diet" to consider these matters at Edinburgh on January 24, 1488, and another in May, at a place chosen by the two kings, who are to meet personally in July 1488.[71] The Bishop of Exeter and Sir Richard Edgcombe arranged these proposals for Henry VII.; for James acted the Bishop of Aberdeen, and that John Ramsay, Earl of Bothwell, who escaped the massacre of Lauder Bridge. By the account of Ferrerius he was especially hateful at this time to the other Scottish nobles. Yet there seems nothing unworthy, or unpatriotic, in James's desire to secure peace with honour, and with the recovery of Berwick. Mr Hume Brown, however, writes: "With Henry, James showed an eagerness to be on friendly terms that confirms a charge which his subjects brought against him of undue leanings towards England."[72] Now this charge was published after James's murder, and in their own justification, by those rebellious subjects of his who were themselves, as we shall see, intriguing with Henry VII., and authorised to visit him. It seems hard to condemn, on such factious evidence, a prince who was only working for international peace. He gained civil war. James IV. and James V. are constantly upbraided for not doing the very thing which James III. is execrated for having done. The remarks of Lesley, Queen Mary's Bishop of Ross, indicate the prevalent view: James, after trying to secure peace, lived "by the advice of men of the lowest possible description," "a crew of abandoned wretches." Now James's ambassadors, besides Bothwell, were the Bishop of Aberdeen, Lord Kennedy, the Abbot of Holyrood, Archibald Whitelaw, and John Ross, King's Advocate; while the Archbishop of St Andrews, the Bishop of Glasgow, and the Abbot of Cambuskenneth were also among his emissaries.[73] None the less does Lesley represent the gathering rebellion of men like Angus, who had deliberately tried to betray Scotland to England, as a patriotic endeavour to free James *a flagitiosorum hominum colluvione*.[74]

It is obvious that the history of this king is corrupted by the influence of a parcel of treacherous nobles, who murdered the king first and then reviled him. He sought international peace; he was accused of desiring it merely for purposes of domestic tyranny: he gained intestine war. His discontented nobles (as a rule those of the South) conspired his deposition. As to his alleged misdeeds in

the matter of the coinage, their precise measure of iniquity may be left to the professed bullionist.[75]

His queen's death probably made it easier for a party of the nobles to secure the favour of her eldest son, the fatal "whelp," a boy of fifteen, later James IV. Nothing, of course, is more usual than for the Opposition to ally itself with the heir to the throne. Many of the nobles knew that the guilt of Lauder Bridge still hung over their heads, while the king had lately shown a vigour which might easily become revengeful. James, again, might forgive, but his advisers would ever be hungry for the forfeiture of the murderous lords. In a Parliament of October 13, 1487, they are said to have suggested an arrangement by which they would drop all their grievances, on condition of an amnesty. The Estates, on the other hand, carried an Act for the refusal of all pardons to traitors and murderers and other criminals for a space of seven years. A similar recommendation had been made by the Three Estates long before. Parliament was prorogued to January 29, 1488; James, meanwhile, disproved beforehand the later accusation hypocritically brought against him, of "bringing in the English." He interrupted negotiations for the English marriages of himself and his son by insisting on the surrender or destruction of Berwick Castle.[76] Parliament met; James showed a bold front, and offended the Humes on a point of clerical patronage, annexing the Priory of Coldingham to the royal chapel of Stirling, and it was plain that he was not to be intimidated. Therefore Angus, ever a traitor, Argyll (usually true to the throne), Lyle, Drummond, Hailes, Blackader, the Bishop of Glasgow (for the measures against dealing in benefices with Rome were perhaps resented), and a strong party, induced Prince James to join them in arms. The king later deprived Argyll of office (he had been Chancellor), and sent his uncle, Buchan, and Bothwell (Ramsay who escaped at Lauder Bridge) to England, it was said to ask for the support of an English force against his rebels.[77] The rebel nobles, with the Prince, then declared that James had ceased to reign, proclaimed his son as his successor, made Argyll Chancellor, and, themselves, intrigued with Henry VII.[78] Thus both parties looked for English aid; but that James III. offered to sell his country for that assistance, like Albany, Angus, and Douglas, is a legend quite unsupported by testimony. The South being in arms against him, the king crossed the Firth of Forth, and was welcomed by his uncle Atholl, Huntly, Crawford, and Lord Lindsay of the

Byres, who gave him a grey charger, "that would outrun all the horses of Scotland at his pleasure, *if he would sit well!*"[79] In brief, James gathered all the chivalry of the Northern Lowlands, Errol, Glamis, Forbes, Tullibardine, and many more. They, at least, were not alienated by his amateurship and shocking relations with a lady named "The Daisy." He marched south, and found his son with the rebel Angus and the rest of the insurgents at Blackness, on the Firth of Forth. It is difficult to ascertain the details of what occurred, as presented in the verbiage of the rebel party after their victory. Terms of feeble leniency were granted by James to the Prince and his allies :—

> "*Mercy, ill-timed, ill-placed, their only crime,*
> *To trust too much and trust it out of time!*"

was, says a poet of a later age, the fault of the Stuarts.[80] According to what the rebels declared, in self-excuse, the terms here granted by James III. were not honourably kept.[81] James retired to Edinburgh Castle, while his son and his son's faction met again in arms, on the pretence that Bothwell and Buchan were bringing in the English for their destruction. It is vain to ask for the special motives (the excuse we have seen) of men who probably felt that their only security lay in revolution. James gathered the loyal forces,—Montrose, Lindsay, Erskine, Atholl, Huntly came in ; his second son he had already (January 1488) created Duke of Ross ; he next advanced to Stirling, to join hands with the chivalry of the North. He was shut out from Stirling Castle, by the treacherous governor, Shaw of Sauchie. The rebels, meanwhile, were lying between James and Falkirk, in the old cock-pit of Scotland. James met them near Sauchie Burn, hard by Bannockburn : he himself was actually girt with the sword of Bruce![82] His first line, led by Atholl and Huntly, was composed of Highlanders, from Atholl, probably : in the centre were loyal burghers, for the king's cause was theirs. In the rear were Menteith's levies, and Fife lent her cavalry. The rebel front, under Hailes and Hume, were the spearmen of the Merse. The Border freebooters and Galloway men were in the second line ; in the main battle were the unhappy Prince, Angus, and the chief conspirators. The certain fact as to the result is, that James sped from the field, alone and unguarded, whether carried off by a horse which he could not manage, or not, is unknown. That a monarch, even if a coward, should voluntarily fly, unattended by

even a single squire, in a country of doubtful loyalty, with Stirling closed against him, is improbable. Like Edward II., the fugitive would have a guard of knights. The popular legend is that he fell, and was hurt, by the swerving of his horse, at Beaton's Mill, and was stabbed as he lay in bed in the cottage by a false, or feigned, priest, who heard his confession (June 11). Ferrerius says that, his horse failing him, he fled on foot, was tracked by pursuers, who found his horse, and was done to death. Buchanan divides the guilt among the pursuers, Patrick Gray, Stirling of Keir, and a priest named Borthwick. We have no real evidence; but it is certain that James "happinit to be slain," as his enemies declared.

So ended a reign whereof the chief interest lies in secret history, which must remain secret. If we knew why Argyll changed sides, we might have a chance of fathoming the mysteries of motive and intrigue. The darkest charge on the memory of James, the alleged murder of his brother, Mar, was not even thrown at him by his rebels, who obeyed the maxim of throwing mud enough. A mistaken or indolent clemency, as when he spared Douglas, is rather the fault of the unhappy monarch, whose dark hair, ivory face, and southern complexion, in an authentic portrait at Holyrood, remind us of James VII. and of James VIII. He was not for that age, and, granting that he was not revengeful but clement or easy, the iron men who opposed him were incapable of believing in such qualities, and could see no safety for themselves but in his destruction. They did not find it impossible to corrupt a boy, his son, and so Angus achieved a treason memorable even in the annals of his evil house. James was personally obnoxious to some of his nobles, because their very elementary education did not fit them for his society. The latest historian of the House of Douglas maintains, to be sure, that Angus wrote a good hand, but more was needed than this humble accomplishment by the art-loving king. The people (who were inclined to, and fought for, the royal cause, and who mourned their master) were told that James had amassed large secret treasures. He had not done so by taxation at all events. Many *cinque-cento* jewels and some thousands in gold were found in his coffers; if greater wealth he had (and his bulks no larger than Bishop Kennedy's), it never reached his successor's hands. James was, we have seen, not a good horseman, whereas Mar and Albany were horse-breeders. It is, thus, easy to understand that James could not be popular in military and sport-

ing circles. Yet the brave Sir Andrew Wood was attached to him, and faithful to the last. Unfavourable tradition reflects itself in the works of Lesley, Pitscottie, and Buchanan.

We talk of the evil destiny of the early Stuarts. But were their English contemporaries more fortunate, or more faultless? and what combination of qualities could then have preserved a King of Scots from being either regarded as a tyrant, like James I., or as a weakling, like James III.? The history of the early Stuarts was poisoned near its sources by the inventions of Boece, the legends of the irrepressible Pitscottie, the credulity of Lesley, and the animus of Buchanan. These writers, it is true, had not often before them the evidence of public documents, and so could not know the manifold treasons of the Douglases and of Albany, preserved in the collection of 'Fœdera.' Here is an anecdote concerning James III., in which Buchanan rivals Tacitus or Suetonius: "William, Lord Crichton, had a wife of noted beauty, a daughter of the noble house of Dunbar. Learning that she had been seduced by the king, her lord took a resolve, rash, indeed, but congenial to wounded love and injured honour. He corrupted the king's younger sister, remarked for her beauty, and infamous for an incestuous love with her royal brother. By her Crichton begat Margaret Crichton, whose death is recent."[3] No evidence is given by him who first adulated and then reviled Queen Mary. Mr Tytler points out that the wife of William, Lord Crichton, was not a lady of the house of Dunbar. Lady Janet Dunbar was Crichton's mother, not his wife. Did James seduce that respectable matron? Mr Burnett, an eminent authority, accepts the opinion that Crichton, about 1482, did seduce James's sister, Margaret, and so, probably, prevent her marriage with Lord Rivers.[4] Lesley's tale that James had a mistress, "The Daisy" (is this another stroke at Margaret?), is a mere popular tradition. If it were true, James would be no worse than Knox's "faithful laird of Raith," or than most men and monarchs. The early Scottish historians were lively; but it is deplorable that the modern writer must often regard their romances as fairy-tales, to the great loss of anecdote and personal interest.

To have loved art, in the bloom of its revival, is no discredit to monarch or man. To have been guided in affairs by the opinion of artists would be less creditable, if it were proved to be true, but whom could James trust among the great? His mother, said to have been in love with Hailes and the Duke of Somerset, placed

no good example before his youth. Then he was ensnared by the cynical Boyds, betrayed by Douglas, betrayed by his brother Albany, outraged and betrayed by Angus, attacked by his own son. In spite of all, he now and again recovered power when recovery seemed desperate. Historians deny that he was "a mere weakling," and almost in the next page blame him for "weakness and folly."[85] The charges of his treacherous enemies are accepted, when they accuse him of the very crime which they were themselves committing. We know too little of the facts to sit as judges on the unfortunate king.[86]

As to constitutional progress in this reign, it has been well observed that the Estates "were the mere instrument of the faction that chanced to be in the ascendant."[87] There was hardly such a thing in Scotland as an opposition in Parliament. The representatives of the burghs, not sitting in a separate House of Commons with the smaller barons, were practically powerless. We do not know exactly how, in all cases, the Lords of the Articles, the all-powerful Committee, were elected, but it was probably by arrangement among the faction which governed or misgoverned the realm. "The morals of the clergy and the government of the Church" are said to have shown "a rapid declension." That they had done, according to James I., in his earlier reign. James III. opposed trafficking with Rome, as we have seen; but the appointment of Graham to St Andrews, in the king's childhood, looks like nepotism, the new bishop being the half-brother of the late prelate, and of the greedy Lord Kennedy, a partner in the iniquity of the Boyds. Of Schevez (who had been the king's physician) we know little save from charges of astrology and intrigue. He liked scholarly books and wrote a scholar's hand, as we know from a volume in his collection, now in the University Library of St Andrews. In 1482 he helped to make the arrangement with Albany which gave a breathing-space in the anarchy of the hour. The two following reigns were to show ecclesiastical corruption in more conspicuous vigour than did that which closed darkly in the crime of Beaton's Mill.[88]

Comyn, Gloucester, Clifford, Harcourt, Courtenay, and seven hundred other gentlemen of coat-armour were slain.[67] Hereford, (later) with Angus, Umfraville, and Sir Thomas Grey were among the prisoners. Stirling, of course, surrendered.

The sun of Midsummer Day set on men wounded and weary, but victorious and free. The task of Wallace was accomplished. To many of the combatants not the least agreeable result of Bannockburn was the unprecedented abundance of booty. When campaigning Edward denied himself nothing. His wardrobe and arms; his enormous and, apparently, well-supplied array of food-waggons; his ecclesiastical vestments for the celebration of victory; his plate; his siege-artillery; his military chests, with all the jewellery of his young minion knights, fell into the hands of the Scots. Down to Queen Mary's reign we read, in inventories, about costly vestments, "from the fight at Bannockburn." In Scotland it rained ransoms. The 'Rotuli Scotiæ,' in 1314 full of Edward's preparation for war, in 1315 are rich in safe-conducts for men going into Scotland to redeem prisoners. One of these, the brave Sir Marmaduke Twenge, renowned at Stirling Bridge, hid in the woods on Midsummer's Night, and surrendered to Bruce next day. The king gave him gifts, and set him free unransomed. Indeed, the clemency of Bruce after his success is courteously acknowledged by the English chroniclers.[68]

This victory was due to Edward's incompetence, as well as to the excellent dispositions and indomitable courage of Brûce, and to "the intolerable axes" of his men. No measures had been taken by Edward to secure a retreat. Only one rally, at "the Bloody Fauld," is reported. The English fought wildly, their measures being laid on the strength of a confidence which, after the skirmishes of Sunday, June 23, they no longer entertained. They suffered what, at Agincourt, Creçy, Poictiers, and Verneuil, their descendants were to inflict. Horses and banners, gay armour and chivalric trappings, were set at nought by the sperthes and spears of infantry acting on favourable ground. From the dust and reek of that burning day of June, Scotland emerged a people, firm in a glorious memory. Out of weakness she was made strong, being strangely led through paths of little promise since the day when Bruce's dagger-stroke at Dumfries closed from him the path of returning.

Everything now went well with Bruce. Stirling Castle he dismantled; Hereford, who had taken refuge with Hamilton in Bothwell

May 10, 1449. Prior to this the truce is broken.

May 1449. Percy and Ogle burn Dunbar.

May 10. James appoints commissioners to negotiate with England. (Bain, iv., No. 1212; Fœdera, xi. 229.) The commissioners are "to prolong the truce and conclude a peace."

June 1449. Salisbury burns Dumfries. Douglas burns Alnwick.

July 10, 1449. A truce concluded from 10th August to September 20. (Fœdera, xi. 233.)

July 18. Douglas burns Warkworth.

September 18. Truce renewed till November 9. (Bain, iv. No. 1216.) Truce interrupted by hostilities.

October 23, 1449. Battle of Sark.

November 5. Truce concluded at Durham. (Bain, iv. No. 1222.)

Mr Burnett, in Exchequer Rolls, v. lxxiii, makes the burnings and battle of Sark occur in 1448, while (p. lxxviii) he casually prints "1469" for "1449."

[12] The Auchinleck author, after saying that James Livingstone was put to death, announces his escape!

[13] Lectures, pp. 124, 125.

[14] Book of Douglas, i. 465.

[15] Tytler, ii. 22 (1873); 145 (1864).

[16] Exchequer Rolls, v. lxxiv-xciii.

[17] Compare Book of Douglas, i. 467, with Tytler, ii. 34, 35; 151, 152 (1864). Law's MS. blames Trumbul, Bishop of Glasgow, and the Crichtons, for making James attack Douglas's property, and intend his death: cited in Exchequer Rolls, v. lxxxv.

[18] Auchinleck Chronicle, p. 9.

[19] Book of Douglas, i. 471.

[20] Auchinleck Chronicle, pp. 45-49.

[21] Exchequer Rolls, v. lxxxvii.

[22] Act. Parl., ii. 73.

[23] Compare Book of Douglas, i. 472-475; and Act. Parl., ii. 73.

[24] Auchinleck Chronicle, 47.

[25] Rot. Parl. Scot., ii. 358; Fœdera, xi. 310.

[26] The House of Hamilton, later all but royal, first makes a deep mark in history with this James, first Lord Hamilton. The origin of the family is matter of dispute; the Regent Arran, about 1544, boasted that his lineage was English. Walter Fitz Gilbert de Hameldone signs Ragman's Roll (Bain, ii. 212). At that date Hamilton, or Hameldone, does not appear to have been a Scottish place-name. There is a Hambleton in Bucks, and another (the cradle of cricket) in Hants. Douglas, in his 'Peerage,' derives the Scottish Hamiltons from the de Bellamonts of Normandy, and from William, born at Hambleton in Bucks, third son of Robert de Bellamont, third Earl of Leicester. Sir William Fraser, in his Haddington Book, rejects this theory, and prefers that of a Northumbrian lineage, from a Walter Fitz Gilbert (died *circ.* 1201-1207). His wife was Emma de Umfraville, and bore a single cinquefoil. The Hamiltons bear three cinquefoils, as may be seen on Archbishop Hamilton's castle of St Andrews. But whence came the name of Hambleton, or Hamilton? Not from estates in Scotland granted to Walter Fitz Gilbert, calling himself "de Hameldone" in 1296. His descendants changed to Hamilton the name of their estate of Cadzow. The ancestor of the Hamiltons was on the English side, holding Bothwell Castle till after Bannockburn. He then changed parties, and received Cadzow from Bruce. The sixth

Lord of Cadzow is James, first Lord Hamilton, so created in 1445. He was a Douglas man, and accompanied Douglas to the Jubilee in 1450. As we see, he went over to James at the siege of Abercorn, and obtained the lands of Abercorn from the grateful king. He also entered into a band of man-rent with the Red Douglas of Angus, the supplanter of the Black Douglas family. His marriage later with the Princess Mary, sister of James III., consolidated the House, which, according to a saying attributed to Knox, consisted wholly of murderers! (I have been permitted to use the MS. "Chapter of Family History" by Lady Baillie-Hamilton.)

[27] Book of Douglas, i. 486. Exchequer Rolls, v. cvi, cvii. Fœdera, xi. 336. Douglas, Hamilton, and many of their kin got safe-conducts for three years, in May 1453, from Henry VI. (Fœdera, xi. 326, 327). The difficulties about dates are here illustrated. Mr Hume Brown accepts Douglas's dealings, in May, with the rebel Celts. Sir William Fraser, *loc. cit.*, makes them seem hardly probable. Hume Brown, 236.

[28] We have the brief Auchinleck Chronicle, and occasional allusions in the Paston Letters. There is also, though it was unknown to Mr Burnett, the learned editor of the Exchequer Rolls, a curious despatch of Bishop Kennedy's. It was written, for the edification of Louis XI., in March-April 1464. Before that date Kennedy had been negotiating with Edward IV. (Fœdera, xi. 509), and had abandoned the interests of the House of Lancaster. Louis XI. had preceded him in this policy—in fact, his veering caused Kennedy to veer. The Bishop, however, though he was taking a pension from England, expresses his loyalty to France. His despatch is printed in vol. iii. p. 164 of the 'Anchiennes Croniques d'Angleterre' of Wavrin, a contemporary who was with Fastolf when he fled from Jeanne d'Arc at Pathay (1429). There are other letters and allusions in Wavrin's text. The public records, as in 'Fœdera' and Mr Bain's Calendar, supply a backbone of dates. Bishop Lesley's History (Scottish Text Society, 1895, a Scots translation from Lesley's Latin) is, in many parts, a summarised and occasionally altered version of the work of Ferrerius, an Italian clerk long resident in Scotland, where he was living in 1529. Ferrerius wrote at the request, and relied on certain promised papers and collections, of Henry Sinclair, Bishop of Ross. But the Bishop died of the stone at Paris early in 1565; his papers were carried away by his brother, and Ferrerius had to trust to his own resources. In some cases these were the recollections of contemporaries. The character and conduct of James III. are described by Ferrerius with strange inconsistency. He appears to be distracted between his own impressions and the prejudiced and aristocratic traditions of the king's enemies. These are expressed in the apology of his successful opponents as set forth in the Acts of Parliament after the murder of the king. To this day (as in Mr Tytler's History and perhaps in that of Mr Hume Brown) the indecision of Ferrerius is reflected. Buchanan, though not unprejudiced, had knowledge of some facts not possessed by Ferrerius or Lesley, while he ignores others of which Lesley had an inkling. See note 88.

[29] Wavrin, ii. 302; Buchanan (1582), fol. 130.

[30] Playter to John Paston. Paston Letters, Gairdner, ii. 13.

[31] Fœdera, xi. 474.

[32] Fœdera, xi. 475. Mr Burnett, Exchequer Rolls, vii. xli, xlii, dates these events 1462. He appears to have been misled by a document in 'Rotuli Scotiæ,' and in 'Fœdera,' xi. 487, column 1, which is dated Feb. 13, MCCCCLXII (1462)—that is, 1463 in our reckoning. But either that document was written a year later than those which accompany it, or there is a mistake of the press, or Rymer

altered it from the old to the historical year. The entry causes great trouble and confusion.

[33] Fœdera, xi. 487. Mr Hume Brown writes, "On the 19th of October" (1461) "Edward promised protection to every Scot who would assist Douglas in his attempt to conquer the country." This is an oversight; these letters of assurance are of October 19, 1462. Fœdera, xi. 492; Hume Brown, p. 252.

[34] Fœdera, xi. 477.

[35] Fœdera, xi. 484-487.

[36] Bain, iv. 270.

[37] Playter to John Paston. Paston Letters, ii. 110, 111.

[38] "Nos, volentes . . . dictam conventionem *ad debitum produci effectum*."—Fœdera, xi. 409. The homages of the Island chiefs were to be taken.

[39] Wavrin, iii. 163, 164 (Paris, 1863). Ferrerius, p. 386. Appendix to Boethius (Paris, 1574).

[40] Fœdera, xi. 502.

[41] Fœdera, xi. 509.

[42] Bain, iv. 276.

[43] Fœdera, xi. 510.

[44] Fœdera, xi. 525.

[45] Fœdera, xi. 535.

[46] Exchequer Rolls, vii. lvi, note 4; Arbroath Chartulary, p. 145; Grub, i. 375.

[47] Tytler, ii. Note O (edition of 1863).

[48] Paston Letters, iii. 47.

[49] Tytler, ii. 72; ii. 200 (1864).

[50] Tytler, ii. 64, 195 (1864).

[51] Stat. Eccles. Scot., i. cviii.

[52] Theiner, Vet. Mon., p. 480.

[53] Statuta Ecclesiæ Scoticanæ, pp. cxv, cxvi. The Nuncio's report is cited. We shall probably never understand the intrigues connected with Graham. Buchanan writes with great confidence, but does not seem to be well informed. According to him the Boyds and Kennedys, despite their band (of which he says nothing), really quarrelled when James was abducted. Lord Kennedy was assaulted by Alexander Boyd and imprisoned; later he retired to Carrick, and Bishop Kennedy to Fife (July 1466). Now Bishop Kennedy, at this time, had lain for a year in his grave. Next, the Boyds assailed Graham, who had been elected to the archbishopric by his canons, and drove him to Rome, to seek confirmation in his see. While he was still at Rome, the old question of the Independence of the Scottish Church was revived by the Archbishop of York. Graham, however, obtained the Primacy, and the office of Legate for three years, that he might restore ecclesiastical discipline. Yet he dared not return home till the Boyds fell from power. Now, in fact, the Boyds fell in 1469, and Graham did not secure the erection of St Andrews into a metropolitan see till August 1472. Mr Hume Brown writes (p. 263), "From the first Graham had many and powerful enemies; and he consequently betook himself to Rome, where he seems to have made his residence." At the first, on the other hand, Graham was included in the Boyd-Kennedy band, and had powerful *friends*. Dickson (Treasurer's Accounts, p. xlvi) holds that, after the seizure of James, the Boyds persecuted Kennedy and drove him to Rome, where he resided for some years, and only returned about November 1473, when he knew the state of affairs that followed on the ruin of the Boyds. All this leaves the impression that Graham was at Rome from, say, 1467 to 1473, when we know that he returned. But, as a matter of fact, Graham was

present at the Parliament in Edinburgh on October 14, 1467. He compeared by his procurators in Parliament at Stirling on January 12, 1467-68. In 1468, again, he was one of the Lords of the Articles in a Parliament at Edinburgh (no date of month is given). Now, as far as we understand, the Lords of the Articles were apt to be chosen from the dominant faction—namely, in 1468, that of the Boyds. On November 21, 1469, Graham was present in Parliament, and was a Lord of the Articles. This was the very Parliament that found the Boyds guilty of treason, which demonstrates beyond doubt the inaccuracy of Buchanan. In July 1470, Graham gave judgment in a university squabble. On May 6, 1471, Graham was present at Parliament in Edinburgh. He is not mentioned in the session of August 2, 1471, nor in that of February 17, 1471-72. His name does not occur in records of July 1473, May 1474, November 1475, nor July 1476. Thus we have proof that Graham was in Scotland in 1467, 1468, 1469, 1470, and 1471. On November 28, 1468, was made out for him an English safe-conduct to pass through Edward's dominions to France, Brittany, Flanders, and Picardy—the warrant to run for two years. Probably Graham's visit to Rome was between May 6, 1471, and November 1473. We observe no traces of the "powerful enemies" and the prolonged Roman residence. All this throws doubt on the whole story of Buchanan, according to which Graham is a martyr for the regular appointment of bishops *a collegiis canonicorum*, as against the *aulici*, or courtiers, who desired the king to make such appointments himself. Graham *may* have been "the sole drag on the headlong Church," and therefore may have been persecuted. But Buchanan is so incorrect that we cannot rely on his details, such as that Rome turned against him because he could not pay the fees demanded by the Holy See (Buchanan, foll. 135-137; Act. Parl. Scot., ii. 87, 89, 91, 93, 98; Concilia Scotiæ, i. cviii; Martine, Reliquiæ S. Andreæ, pp. 130, 236; Bain, iv. No. 1382.

[54] Henry VI. gave licences to search for the Elixir Vitæ and the Philosopher's Stone. James IV. was addicted to Alchemy.

[55] Act. Parl., ii. 104.

[56] James IV. was born March 17, 1473.

[57] Act. Parl. Scot., ii. 113. The historians of Clan Donald (p. 249) sneer at Argyll for accepting the part of "public policeman." The family of Argyll was usually loyal to the throne, and Highlanders were generally employed to catch Highlanders. This page in history is extremely obscure.

[58] For the Celtic confusions, see Clan Donald, pp. 244-282.

[59] This scrap is printed by Pinkerton, i. 503.

[60] Lesley, ii. 94, 95, seems to follow the old chronicle, printed by Pinkerton. Andreas, a Fleming, was James's astrologer; we have no details of any value about these people and events.

[61] Bain, iv. 209, 1479-80.

[62] Notes of English warlike preparations, the appointment of Gloucester to supreme command on the Border, and angry charges against James, occur in 'Fœdera,' xii. 115 (May 12, 1480), 117, 139. For James Douglas, master of the Michael, who brought Albany to England, cf. Fœdera, xii. 154. Exchequer Rolls, ix. xxxvii-xxxix, may be consulted.

[63] Fœdera, xii. 145, 146.

[64] The chroniclers are not to be trusted. They say that Hommyl, the tailor, was hanged, which the editor of the Exchequer Rolls proves to be incorrect. Buchanan heaps up charges of adultery against James, which Mr Tytler believes to be without evidence. Albany's treacherous arrangement with Edward IV. is unknown to or ignored by Buchanan. Lesley admits, however, that Edward

promised to make Albany king; the abject conditions are not stated. Lesley, ii. 97; Tytler, ii. 84, 85 (1874).

[65] Fœdera, xii. 172-176, Feb. 11, 1482-83.

[66] Tytler, ii. 226, quoting MS. of March 16, 1482-83; Act. Parl., xii. 31-33, giving date March 19.

[67] Act. Parl., ii. 146.

[68] Buchanan, fol. 141. See note 88.

[69] August 30, 31, 1484; Bain, iv. 308; Fœdera, xii. 232-234.

[70] See note 88.

[71] Fœdera, xii. 320-330.

[72] Hume Brown, p. 283.

[73] Bain, iv. 311.

[74] Lesley, De Origine, &c., p. 327. Rome, 1578.

[75] See Exchequer Rolls, ix. lxi-lxviii.

[76] Act. Parl. Scot., ii. 182; Rot. Scot., ii. 483. Cf. Exchequer Rolls, x. xxxvi.

[77] Fœdera, xii. 334. No *names* are mentioned here.

[78] Fœdera, xii. 340. Henry granted passports to the Bishops of Glasgow and Dunkeld, and to Argyll, Hume, and others, to come to England with 100 horse. Bain, iv. 314. May Day, 1488.

[79] Anecdotes in Pitscottie.

[80] Loyal Songs, 1750.

[81] Act. Parl., ii. 210, 211.

[82] Exchequer Rolls, x. xxxix.

[83] Buchanan, fol. 141.

[84] Exchequer Rolls, viii. lxii, lxiii. See note 88.

[85] Hume Brown, History of Scotland, pp. 280, 284.

[86] James's acquaintance with Cochrane, "the mason," is rather mysterious. We may venture a guess that when James's mother was building "the magnificent Trinity College Church and Hospital" (about 1462), an intelligent child like James might make friends with an artist employed.

[87] Hume Brown, 288.

[88] If the reign and character of James III. are a puzzle, we must blame the contradictions of Ferrerius. On his page 391 he applauds the personal beauty and strength of James, who again (p. 402) "excelled all the princes of his day in strength and beauty of face and figure." He showed "the most vivacious intellect in all provinces of the mind." He patronised all arts and artists, encouraging the learned by the richest ecclesiastical appointments. He stimulated such doctors as Ireland "to virtue and all honourable arts." Ireland (one of the favourites) was eminent *pietate et moribus*. Though he resided in France, as soon as James heard of him he rested not till he brought the doctor to Scotland. Yet (p. 394) Ireland came over twice, on embassies from Louis XI., in 1479-1480, and dragged James into war with England; the naval attacks on the Scottish coast ensued (1481). Ferrerius, despite his good report of James, accuses him of preferring low favourites (p. 392). Hence arose the tumults of Mar and Albany. Again, though James encouraged virtue and learning by gifts of Church livings, he bestowed monastic wealth on luxurious loungers about the Court (p. 393). The mutiny of the nobles at Lauder is warmly condemned by Ferrerius as *de levibus rebus*,—trivial grievances (p. 396). Yet he blames Court favourites, *aulici*, for stirring James up against Albany—the basest of traitors to king and country. He next blames the king for his friendly relations with England, which merely permitted him to lapse into "dishonourable pleasures," avarice, and neglect of his nobles (p. 399). Yet he sympathises with James when these neglected nobles revolt. He even avers that the loyal nobles insisted on James's flight from

Sauchie Burn, *equo velocissimo*. James "was worthy of a juster fortune" (p. 401). He was "clement even beyond what was prudent," and "more rarely than was expedient did he punish the guilty" (p. 402). Lesley is hardly more consistent than Ferrerius. As to James's relations with women, nothing unusual has reached us on good authority. "The best of kings," as Ferrerius calls him, became addicted to *voluptates parum honestæ*. This is vague. Lesley makes the mutinous nobles at Lauder rebuke the king for that he neglected the queen, and set in her place "ane howir callit the Daesie." About this charge Ferrerius has nothing to say nor has Buchanan. Bishop Atterbury remarked to Lady Castlewood concerning another James III., "He hath every great and generous quality, with perhaps a weakness for the sex which belongs to his family, and hath been known in scores of popular monarchs from King David downwards." In the case of a popular monarch, a Daisy more or less would not have excited moral indignation —in the fifteenth century. In the text I have quoted a story of Buchanan's about James's younger sister, Margaret, "forma egregia, et consuetudine fratris infamem." Now, on December 14, 1482, "Edward IV. grants a commission to forward the marriage between *Margaretam* sororem germanam fratris nostri (Jacobi III.) ac predilectum consanguineum nostrum Antonium, Comitem de Ryvers, Dominum de Scales" (Fœdera, xii. 171, 172). Now, if we believe Lesley, just six months earlier James had been chidden by moralists like Angus on the score of a lady named "The Daisy." "Daisy" is the pet-name for Margaret, and possibly a royal mistress named Margaret has been confused with the king's sister. That the Princess Margaret had an illegitimate child by Crichton is inferred from the circumstance that a Margaret Crichton, a kinswoman of James IV., was meanly married to two burgesses before she became the wife of George, Earl of Rothes. Had Crichton *married* the Princess Margaret, it is assumed that their daughter would not have made such alliances. It is acknowledged that Buchanan errs when he makes James III. seduce Janet Dunbar, *wife* of Crichton; for Janet was Crichton's mother, and his wife was Marian Livingstone, alive in 1478 (Riddell's Remarks upon Scottish Peerage Law, pp. 190-195). Now, Margaret Crichton, daughter of Crichton and the Princess Margaret, "could not, from what is stated, have been of age" when she appears as wife of William Todrick, burgess of Edinburgh, in 1505. She must, therefore, have been born about 1485 at latest, and between 1478 and 1484 there is time enough for Crichton's wife to have died, and for him to have married the Princess Margaret (Riddell, *op. cit.*, p. 195, Note 1). Moreover, if Margaret Crichton was born in 1485, her father had been forfeited in February 1484 (Act. Parl. Scot., ii. 161). The love-affair from which she sprang, therefore, could not be, as Buchanan says, the chief cause of her father's forfeiture (1484), still less of his flight to sanctuary at St Duthac's in Tain (1483). See Appendix I. to Preface of Treasurer's Accounts, and Buchanan, fol. 141.) In short, if under age in 1485, Margaret cannot have been conceived till *after* her father's flight and forfeiture. Thus whether Crichton had an illegitimate daughter by the Princess Margaret, or whether he was the husband of that princess, is not absolutely certain; but the odious anecdote of Buchanan is vitiated by his confusion between Crichton's mother and Crichton's wife, while it is at least conceivable that, in the late gossip which reached Lesley and Buchanan, the Daisy and the Princess Margaret have been blended.

Thus the character and conduct of James III. remain a mystery, and we need not throw stones at a prince so unfortunate and so clement. For the reign of James III., I conceive that Lesley, Ferrerius, and Buchanan used a common stock, with such alterations as prejudice or private information suggested.

CHAPTER XIII.

JAMES IV.

DISLIKED as the murdered king had been by his southern nobles, the Revolution which overthrew him was not popular. He had not, as is said, "alienated all classes of his subjects."[1] The general conscience was revolted by the appearance of a son in arms against his father. But even Sir Andrew Wood, the great sea-captain, while he spoke out boldly to the lords of the new monarch, transferred his allegiance to the son of James III. when the father's death was certain fact. The triumphant party of the prince took care to secure themselves by parliamentary means from any future punishment; and while seizing office and grants of land, and forfeiting the late king's favourite, Ramsay, Earl of Bothwell, they took no extreme and sanguinary revenges. In every one of the long minorities of Stuart kings new noble families were apt to rise on the ruin of old royal favourites. In the beginning of the reign of James IV. the Border houses of Home and Hepburn played the parts of the earlier Crichtons and Boyds. Hepburn, Lord Hailes, a man already notorious, was loaded with offices, and obtained the forfeited earldom of Bothwell, at the cost of Ramsay, the servant of James III. From the wild reiving Hepburn stock later came the notorious Bothwell of Queen Mary's reign, with the crew of Hepburn malefactors, and under the flag of Hepburn the ancestors of John Knox were wont to be arrayed. The Master of Home (the dubious warrior of Flodden) was made Chamberlain,[2] and Hailes was governor of the king's younger brother, the Duke of Ross: places and estates rained on the cadets of both Border families. Argyll was made Chancellor, and the Kers of the Border (Ferniehirst, Cessford, and so on) founded their fortunes. Angus was merely made guardian of the king, and was perhaps dissatisfied.

The spoils of office were distributed even before the coronation, which was held at Scone about June 24-26. An embassy was promptly sent to propitiate Henry VII., and the truce between the countries was renewed — though not kept with immaculate strictness on the seas or as regarded the intrigues of the closet. It is singular that two of the late king's detested servants, Ramsay (Bothwell) and Ross of Montgrenan, were among the negotiators.[3]

James IV. rode the "ayres," presiding at courts of justice throughout the shires, and winning affection by his activity and popular manners. We find notes of his expenses at cards, for hawks, for the corn of two poor women trodden down by his horse; and Tytler would have us believe, though erroneously, for various gifts to "the Lady Margaret," his mistress, the unfortunate daughter of Lord Drummond.[4] James, not yet seventeen, was an energetic and popular prince. He thus escaped, though not without occasional perils, from the unhappy minority common to younger and less amiable princes of his line. His first Parliament (September 1488) already entered on schemes for James's marriage; but these were deferred. Penalties were denounced against traffickers with Rome for benefices: a jealousy of Rome and of her interference was frequently displayed during the reign; but the Pope's absolution was won for the parricidal rebels now in power.

Insurrections broke out (April 1489), in revenge of James III., under Lennox and Lyle in the west (men who had been out in the affair, and were now charged with the preservation of the peace), under Lord Forbes and the Earl Marischal in the north-east. The king, always warlike, reduced the fortresses of Crookston and Duchal; Argyll, with shifting fortunes, besieged the strong Lennox castle of Dumbarton; and Lennox, preparing to cross the Forth by a ford, was betrayed (says Tytler, who follows Buchanan) by one of Clan Alpin, and routed by the king and Lord Drummond, the father of his future mistress. The revolted nobles were presently pardoned and restored to favour (1489-90). The reader will note the importance which the possession of Dumbarton, perched high on an all but inaccessible rock commanding the Clyde estuary, conferred on the family of Lennox. Dumbarton was the gate by which France entered Scotland in times of danger. We shall see how a later Lennox would have betrayed it to England, and how the death of Darnley, son of that Lennox, was avenged at the taking of the family castle.

Even in the midst of these turmoils there are signs of the European importance to which Scotland now attained. Hitherto her foreign relations had been mainly those of war with England and of alliance with France. But the advances in the navigator's art, and the ambitions of Continental princes, now made Scotland a card worth reckoning in the game of European alliances. The young king was not only warlike, but was intent on organising a navy. His father's friend, Sir Andrew Wood, had overcome some English pirates, or privateers, in a two days' battle in the Firth of Forth. His two ships, the *Flower* and the *Yellow Carvel*, were so well found and armed, and so gallantly manned, that they disdained long bowls, and preferred to grapple with and board their enemies. A ship of the Scottish king's had been insulted and chased by English adventurers; but James made it plain that, with such a commander as Sir Andrew Wood, he meant to cause the flag of Scotland to be respected on the seas. Wood's two vessels were lain in wait for, in the Firth, by three under the sturdy English Stephen Bull. All day they fought in sight of land, they drifted into the mouth of Tay, and Sir Andrew (says Pitscottie) was the richer for three prizes. James even crippled his finances by his zeal in shipbuilding, which was the more expensive as the ancient woods of Scotland had already suffered from neglect (as Æneas Sylvius Piccolomini proves), and timber had to be purchased from France. The friendship of a young prince so vigorous was sought by foreign Powers with which Scotland had previously been unconnected. As early as July 27, 1489, while Dumbarton was yet held by the rebels, we find "Snawdon herald" despatched to meet the ambassadors of Spain at Berwick; while in August "contracts between the king and the ambassadors of Spain" are executed. Already in the winter of 1488 there had come envoys from the Duchess of Burgundy, the patroness of Perkin Warbeck, and the inveterate enemy of Henry VII. of England.[5] With Gueldres, with France, with Denmark, James had constant relations; and, as will be seen, he was an important figure in the alliances and intrigues of high European politics. All this was inconvenient from the first to Henry VII., who worked neither by open war nor by reasserting the ancient claim to feudal superiority. He preferred the policy, already ancient, of making private treaties of alliance with the treacherous house of Douglas, while he initiated the Tudor method of bribing private

spies and traitors. Few things in Scottish history have been more disguised in popular books than the conduct of the house of Douglas. The comradeship of Bruce and the Good Lord James has thrown a glamour over the later Douglases,—men princely in rank, daring in the field, but often bitterly anti-national. The partiality of Hume of Godscroft, their *sennachie* or legendary historian, the romances of Pitscottie, the ignorance or prejudice of Protestant writers like Knox and Buchanan, the poetry of Scott, and the platonic Protestantism of Mr Froude, have concealed the selfish treachery of the house of Angus. While peace was being consolidated, and the coinage improved at home, the English king was busy weaving plots beyond the Border.

The new treasonable treaty of Angus and Henry VII. is of November 16, 1491 (?). It exists only in a form mutilated by time or rats. Plain it is, however, that, if hard pressed in Scotland, Angus is to hand over to Henry the important castle of Hermitage, commanding the pass into Scotland through Liddesdale. Angus is to be repaid by lands in England, and his relations with his own king are to be subject to Henry's approval. The traitorous deed is signed by himself and his son George. Meanwhile the unconscious James had been playing "at the cards with the Earl of Angus."[6] That hypocritical traitor did not wholly escape punishment. He, and his party, had justified their rebellion against James III. by the popular pretext that James meant to bring in the English. Angus himself had been guilty of this disloyalty while the third James yet lived. James IV. had scarcely been three years on the throne when, as we see, Angus repeated his crime. But, on December 29, 1491, he was stripped of Hermitage, and, on March 6, 1492, of Liddesdale, which now came into the hands of Bothwell (Hepburn). Angus, however (July 4, 1492), received the lordship of Bothwell, resigned by the earl of that title. He did not cease to be trusted even with public negotiations with England, —he, a known betrayer of king and country: so extraordinary were the political conditions of the time. Earlier in this year, 1491, Henry had entered into a shameless arrangement with the late king's favourite, Ramsay, the forfeited Earl of Bothwell. He with Lord Buchan (so he said), uncle of James III., and Sir Thomas Tod, promises to hand over to Henry the bodies of James IV. and his brother, the Duke of York, for the reward of a loan of £266, 13s. 4d.[7] Tod returned to Scotland, and

became Moneyer to the king. Ramsay, received into favour by James, acted later as a spy and informer of Henry's, who, for his part, in 1493, proposed a marriage between James and an English lady of royal extraction. Thus the young king made love, played cards, hunted, hawked, and studied, in the midst of such plots as beset the heroes of historical romance. Whether there was any connection between the Tod-Ramsay plot and the causes which led to Angus's disgrace and his treaty with Henry VII., is matter only for conjecture. It is probable that these underhand schemes of Ramsay escaped the knowledge of Scotland, with which Henry concluded a five years' truce in December 1491: James had domestic difficulties on his hands.

The death of his father was not forgotten, and a belated attempt was made (February 1492) to still "the heavy murmur and voice of the people," by offering a reward for the actual murderers of James III. The reward was never claimed, nor was a search for the late king's treasures more successful.

Ecclesiastical factions were rife in Scotland. Schevez, who had succeeded the much-vexed prelate Graham as archbishop, was found to be too powerful as sole primate. As early as January 1488, James and his Parliament had decided that Glasgow must be an archbishopric, answering to York, as St Andrews to Canterbury, and Innocent VIII. issued a bull to that effect on January 9, 1491-92.[8] The king had been urgent with Rome to this end, and had dwelt, in his letters, on the goodliness of Glasgow Cathedral. Most readers will remember Andrew Fairservice's account, in 'Rob Roy,' of how this great minster was rescued from the pious violence of the Reformers. The Archbishop of St Andrews disputed the matter till 1493, when the strife was allayed by a royal threat to stop payment of his rents. The war of clerics broke out later, and furnished a congenial theme for the humour of John Knox. The pall, the style of primate, and the privileges of Legatus Natus, were not granted to Glasgow. The new archbishop (1494) laid information against certain Lollards of Kyle in the wild Whig region of Ayrshire; but, by the tact of James, and the humour of one of the accused, the inquest broke up in laughter.[9] The king thought the whole affair very insignificant. The articles against the Kyle freethinkers were copied by Knox, probably from the Court Books of the Official of Glasgow. The Pope, in Kyle circles, is held to be Antichrist; the consecrated wafer remains mere bread; priests may marry; tithes should not

be paid; the Mass profits not souls in Purgatory; relics and images are vain things,—such are a few of the heresies. In the summer of 1491, envoys, including Dunbar the poet, were sent to France, and others appear to have visited the Spanish court. The old alliance was renewed, and a secret treaty bound James to attack England if ever she was at war with France. A truce for five years with England was concluded, however, as we have said, on December 21, 1491.[10]

It was not in nature that James should escape trouble with his Celtic subjects. In a Parliament of May 1493, John, Lord of the Isles, who had been dispossessed in 1476, but represented by his bastard, Angus, whom an Irish harper dirked, was forfeited, and reduced to the estate of a pensionary. His nephew, Alastair of Lochalsh, had been endeavouring to recover the earldom of Ross by arms. James (1493) visited the West Highlands, and appears to have conferred charters on Mackintosh, captain of Clan Chattan, Maclean of Lochbuy, Alastair of Lochalsh, of the Isles family, and John of Isla; the two *de Insulis* were knighted, and, from dependents of the Lords of the Isles, became freeholders of the king. James not long after withdrew these charters, whence came new strife. His lenity had no effect, and in April 1494 James fortified Tarbert, which he converted into a strong place of arms. Dunaverty, in South Kintyre, he also seized to the prejudice of John of Islay, grandson of Donald Balloch. Just as James was departing, John of Islay captured the castle, and hung the governor in full sight of the king.[11] James was soon avenged, by the old plan of setting a Celt to catch a Celt. MacIan of Ardnamurchan captured John's sons, who were hanged on the Borough Moor of Edinburgh.[12] In 1495 James again visited the Highlands, where Sleat, Keppoch, Clanranald, Lochiel, and Barra submitted, while Kintail (Mackenzie) and the son of the captain of Clan Chattan were imprisoned. In 1496, chiefs were made answerable for the execution of summonses within their districts, and five chiefs bound themselves over, to Argyll, to keep the peace. James was well advised in visiting the Celts in person, with a crimson and black velvet surcoat over his armour, a hood lined with lambskins, a pair of "breeks of English green," and other splendours adapted to inspire admiration.

Returning from his Island expedition of the early summer of 1495, James met O'Donnell, chief of Tyrconnell, at Glasgow. They had business in hand of a kind likely to pay back Henry VII. for his

dealings with Angus, and his yet undiscovered treachery with Ramsay and Tod. James, in fact, was now in the full imbroglio of the Perkin Warbeck mystery. This historical problem we may never understand, but few things are more improbable than that the persons charged with the slaying of the "Babes in the Tower" allowed one of them, Perkin, to escape. At the same time, to prove the deaths of the Princes was exceedingly awkward for the slayers, and Henry VII. preferred to demonstrate that, whatever the fate of the vanished Prince, Richard, Duke of York, might have been, the claimant backed by James was not he. After that claimant, Perkin Warbeck, fell into Henry's hands, he was compelled to give the account of himself which follows in summary. He was born (so he was made to say) in Tournay, son of John Osbeck and Katherine de Faro, neither of whom was called to corroborate the story, though Charles VIII. offered to send them to England.[13] In 1486, Warbeck, the claimant, went to Portugal, attending on the wife of an English knight of the faction of York. In 1487, according to Mr Gairdner's reckoning, Perkin took service with a Breton merchant, Pregert Meno, who dealt, among other things, in clothes, or stuff for clothes. Four years are now left unaccounted for, as Mr Gairdner makes Perkin first appear in Ireland in 1491.[14] But, if we make Perkin take service with Meno in 1487, it is notable that, in November 1488, and in February 1490, we remark certain Scoto-Burgundian transactions, which may be connected with this pretender. An English herald comes with letters from the Duchess of Burgundy to James IV. (November 1488). A herald "comes forth of *Ireland* and passes to the Duchess of Burgundy" (February 1489-90).[15] However we fix the year of Perkin's arrival in Ireland, he probably began his career as a *prétendant* in 1490 or 1491. According to his confession, he landed at Cork, where the people, seeing him richly dressed (apparently to advertise his master's wares), declared that he *must* be one of the Royal House of York. They then fixed on the Duke of York, escaped, somehow, from the Tower, as the most likely character, and taught the claimant English. Did he speak it with an Irish accent? This is the tale which the unhappy claimant, when a prisoner of Henry VII., was made to recite, and it would be better evidence if it were corroborated by the various persons involved in the early part of the story.

By March 2, 1492, we find James receiving letters from Ireland,

"from King Edward's son," that is, the claimant. After adventures, treacheries, and intrigues over which we cannot linger, James, returning from the Isles in 1495, met O'Donnell as we saw, while Henry at the same time proposed a match between the Scottish king and his own daughter, Margaret.[16] James was not thus to be won. His real object was to recover Berwick, by aid of Perkin. The claimant was welcomed at Stirling on November 20, 1495. He was introduced to the nobles, a pension of £1200 a-year was settled on him, and, in January 1496, he received the hand of James's cousin, Lady Catherine Gordon, daughter of the Earl of Huntly, now practically "Cock of the North" in place of the old forfeited Earls of Ross. If a Tournay burgess lad, and walking tailor's advertisement, like Perkin, could so delude princes and peers, he must have been remarkably subtle. James not only rejected for his *beaux yeux* a daughter of England, but put aside a Spanish offer of marriage, made (not very honestly) to prevent him from attacking England, and so leaving the hands of France free in Italy, as against the forces of the Pope and Spain.[17] The Spanish diversion was seen through, for James got possession of the ambassador's private instructions,[18] which were far from being candid and satisfactory. However, he temporised, and sent the Archbishop of Glasgow to Spain. Meanwhile the claimant, Perkin, received royal treatment. The affair of Spain was prosecuted, in July 1496, by Don Pedro de Ayala, who came to win James over from the party of France. This gentleman has left a most pleasing portrait of the king's person, piety, learning, headlong courage, and devotion to the sex. His instructions were to amuse James with the hope of a Spanish marriage, and to work for peace with England. But, in fact, there was no daughter of Spain for Scotland; Katherine, the Infanta, was to be betrothed to Arthur, Prince of Wales, and later wedded to his brother, Henry VIII., and finally sacrificed to the gospel light that dawned in Boleyn's eyes. Ayala's mission was not yet rewarded by peace.

James, after a visit to his favourite St Duthac's shrine in Tain (now a bald and bleak shell of masonry, beside the sea), made ready for war. He would attack Henry VII., who, on September 2, vainly offered to the Scottish king his daughter's hand. Artillery and ammunition-carts were repaired: the woods of Melrose were cut for timber, tents and gilded vanes were constructed, the claimant's banner was wrought in red and blue taffeta, embroidered

with his white rose, the badge of York. Meanwhile Ramsay, late Earl of Bothwell, kept Henry well informed. He accused Buchan, the king's great-uncle, and the Duke of Ross, the king's younger brother, of sharing with Murray in his perfidy. James's war was said by Ramsay to be "contrary to the barons' will, and that of all his whole people." The spy had been with Perkin and a messenger from Carlisle, in the king's closet. Ramsay announces James's march to the frontier as fixed for September 15, 1476. He hopes James will be punished for "ye crouell consent of ye mourdir of his fadyr," Ramsay's patron and preserver in the slaughter of Lauder Bridge. He spies, you see, out of loyalty to a murdered king. A gentleman spy has usually such virtuous motives to palliate his treason. Perkin, Ramsay avers, is to surrender Berwick to Scotland if he is successful. Concrescault (a Scot by descent) has arrived at St Andrews, out of France. Perkin has been snubbed by a Flemish skipper, of whom he asked news of "his aunt of Burgundy." King James must coin his plate; his artillery is poor, and so are his chances.[19] Ramsay was not detected by James, was rewarded with lands, and died prosperous in 1513. His example of treason was largely followed, in later years, by the Angus faction.[20]

The expedition planned by James against England set out, but the White Rose was as coldly welcomed by Northern England as it was to be in 1745. Perkin withdrew sadly to Scotland, while James idly harried Northumberland. In October he was at home again. In March 1497, while Border raids were frequent, Spanish despatches show that James was weary of his ambiguous guest. Perkin had behaved, in the September raid of 1496, with what we may consider clemency and good taste. James thought otherwise. His army was harrying the English Border in the cruel old fashion. Perkin remonstrated; he could not bear to see his subjects robbed and misused. This was not the way to win their hearts. James took ill "this ridiculous mercy and foolish compassion," say the English chroniclers. But he would not give up Perkin, and a state of war with England, in the early part of 1497, was indicated by Border raids. Early in July 1497, Perkin, with his wife and Robert Barton (one of James's famous sea-captains), sailed from Ayr, on an expedition of dubious object.[21] Probably James expected Perkin to land and create a diversion in rebellious Cornwall: in any case certain negotiations with England were dropped,

and, late in July, James began a great raid with his siege-train of artillery. He in vain beleaguered Norham Castle, and retired on the news of the approach of Surrey with a large army. Surrey instantly crossed the Border and besieged Ayton Castle in the Merse. James now sent letters to raise the country for the relief of Ayton, whither he proceeded in person, but all ended peacefully, and strangely. On or about August 19, James met the English Governor of Berwick at Dunbar, and, on August 21, letters were sent to inform the country of "the scaling [retreat] of the Englishmen."[22] Articles of a seven years' truce were next signed at Ayton Kirk on September 30, Don Pedro de Ayala taking the blessed part of the peace-maker.[23] The whole of this business (the meeting with the Governor of Dunbar, the withdrawal of the English from Ayton, and the making of truce) has almost a collusive air. Was Perkin, after all, left by his ally, James, to his fate? Probably his fate was, by September 30, already known, and James merely made peace when he found that his ally's cause was lost. For, after misty adventures in Ireland and Cornwall, Perkin, who had left Ayr in July, was a fugitive from his own army, at Taunton, by September 21. Thus James might honourably lay down arms on September 30.[24] The truce was next prolonged till a year after the death of either contracting party (February 10, 1498).[25]

Under James IV. the prosperity of Scotland, and the "young adventurousness" (as the spy, Ramsay, said) of her king, brought the country into the tide of European politics. As in Æsop's fable, she swam, like a pot of clay, among pots of bronze. But James's luck and astuteness had now carried him through the adventure of Perkin Warbeck with honour safe, and without heavy material loss. He next settled the Highland question, as far as it ever was settled till after Culloden. The Lords of the Isles had been dangerous, chiefly by their ancestral hold of the mainland, in Knapdale and Kintyre, with their occasional tenure of the great earldom of Ross. We have seen how James deprived the Lord of the Isles of these realms (1493). We have remarked that, in 1496, the chiefs were made responsible for peace within their bounds. But, in 1496 and 1497, James's preoccupation with Perkin gave Alastair of Lochalsh, nephew of John of the Isles, his opportunity to revive the ancient insular lordship, and to renew the attacks on Ross. Defeated there by Mackenzies and Munroes, he was slain by MacIan of Ardnamurchan in the isle of Oransay. This MacIan, of the

blood of Clan Donald, had already been useful, and had been making a spirited bid for the office of "public policeman," usually held by the Campbells. In 1497 and 1498, James had leisure to visit the Isles in person. He revoked certain recently granted charters: he made the Earl of Argyll (Campbell) Lieutenant of the Isles, and gave large grants of lands, in Lochaber, to that rising house, the Seton-Gordons of Huntly. Henceforth these half-Lowland houses of Argyll and Huntly were to be, in great part, responsible for the police of the North, the ancient Celtic princes being overthrown. But the process of pacification was feeble for about three centuries, being complicated with notorious acts of injustice on the part of the "policemen." As late as 1724, the old feud rankled, the Duke of Gordon was bearded by his Badenoch tenants, his fishing-nets were cut, agrarian outrages prevailed, his factor, Glenbucket, was attacked, Clan Chattan was ready for war; James VIII., from his exile, pacified the Celts. Argyll, too, had ever an ill subject in Lochiel.

All these things were to be; but now, under James IV., the heather was on fire, and Donald Dubh (the child of Angus Og, so strangely kidnapped by Atholl for Argyll, long ago) was at the burning.[26] A son of Angus of the Isles and of Argyll's daughter, his legitimacy was contested. Argyll had kept him in Inchconnel Castle, but he was released by the Glenco men, and protected by Macleod (1501). This chief was ordered to give up Donald, and was forfeited for his refusal. In brief, the Isles clung to their rightful heir, while Appin, MacIan, Huntly, and Argyll vainly tried to extinguish the flame, establish "true men" in the Rough Bounds, and expel "broken men." Lochiel and Maclean of Dowart were tampered with, to little result. Macleans and Camerons were fighting for the lands of Lochiel, and, in 1503, Donald Dubh ravaged Huntly's property in Badenoch, and wreaked vengeance on Clan Chattan, being supported by Dowart, Lochiel, and Macleod. A mutilated document seems to imply that the Celts were seeking aid from England and Ireland.[27] Attempts were made, on the part of James IV., to cause "the Law to come to Moidart" and Knoydart, and other remote districts, by dint of courts at Dingwall and Tarbert, Inverness, Perth, and Rothesay. Not till 1506 was the Island confederacy broken. Mackay got the Macleods' lands of Assynt, the Mackays being generally serviceable to central authority down to 1745. Donald Dubh was made prisoner, but escaped forty years later, and

fell to his old works. Clan Chattan and the Stuarts of Appin, as being loyal to James, had much to suffer from Camerons and Macleans. Both remained true to the Stuarts (with one deplorable exception) till Lochiel and Clan Chattan, in turn, were fatally loyal to the same family, two hundred and fifty years later. From 1506, till Flodden, the Highlands were comparatively quiet; Huntly, as Sheriff of Inverness, Ross, and the Northern Isles, Argyll, with the same powers in the south, Appin, Mackay, and MacIan having, on the whole, the better of the quarrel with Clan Donald, Clan Gillian, Macleod, and the Camerons. It is curious to observe the secular character and recurring features of Celtic turbulence, usually exhibiting itself, on the whole, under these Island lords, the ancestors of Keppoch, Glengarry, and Clanranald. The enduring cause of this restlessness was the State's want of money, and the absence of a standing army. A few fortresses at important points and passes, held by royal officers, and manned by men duly paid, would at any time have settled the Highland question. But, having neither money enough nor a standing army, the Stuart kings were wont to purchase powerful chiefs like MacIan, or half-Lowland nobles like Huntly and Argyll, to keep the clans in order. These nobles annexed lands; dispossessed the holders; had to "thole their feud," and so the circle of wrongs and revenges revolved.[28] James had done a good deal to pacify the clans, and the Celts, under Lennox and Argyll, were to fight for him at Flodden, instead of aiding England, as was their wont. But Flodden was not their day.

Every attempt to elucidate events in the Celtic region obliges us to break away from the chronological sequence of occurrences in Scotland. To return to these central affairs, when the long truce had once been negotiated at Ayton (September 30, 1497), after Perkin ceased to trouble, the pacific Henry VII. reverted to his old scheme of a royal marriage. Seldom has a father offered the hand of a daughter so sedulously to a reluctant lord, as Henry offered the hand of his daughter Margaret to James IV. From July 1499 to January 1502, the negotiations lingered on, and the treaty was not settled till January 24, 1502. Henry, with his wonted avarice, made but a poor settlement on his daughter, and family quarrels on this head embittered the strife which led to Flodden. More than a year passed before Margaret, a girl of fifteen, in selfishness and capricious passion a genuine Tudor, was married to James at Holyrood on August 8, 1503. The most

permanent result of the rejoicings was Dunbar's poem of "The Thistle and the Rose." Already James III. had used embroideries of "thrissilis and a unicorne," and the thistle, Burns's "symbol dear," may be older than its recorded recognition.[29]

This marriage, with its accompanying treaties for perpetual peace, mutual aid, and order on the Marches, brought not peace but a sword. The secret bond with France, negotiated by Bothwell and the Bishop of Glasgow (1491), lay in abeyance, but was more potent for ill than the English marriage was for good. The new queen's earliest letters show her litigiously anxious and jealous about her private wealth. Margaret Tudor, as truly as her granddaughter, Mary Stuart, was "that daughter of debate, who discord still doth sow," but, for some eight years, matters passed peaceably enough between the two kingdoms. To this end nothing was more necessary than quiet on the Borders, which James did his best to secure. The Borderers of Eskdale were outlawed, and, in 1504, James entered that country in state and splendour, combining sport with severity. Courts were held at Dumfries, Canonbie, and Lochmaben, and ropes for hanging thieves are reckoned among the expenses of the raid of Eskdale. The birth of a prince, on February 10, 1506, and his death within the year, may seem to mark the turn in James's prosperous fortunes.

Now, too, the politics of Europe began to draw him into matters of more consequence than the claims of Perkin Warbeck. In 1507, Pope Julius II. sent an embassy, for the purpose of bringing James into the League formed to check French aggressions in Italy. James accepted a consecrated hat and sword from the Pontiff, but would not desert France. An English envoy, apparently Wolsey, was sent in March 1508 to anticipate the arrival of a French ambassador, a Scot by descent, Stewart of Aubigny.[30] D'Aubigny arrived, and was welcomed with tournaments, and a poem by Dunbar. He died in the land of his fathers, but his visit increased James's tendency to side with France. Wolsey's mission dealt with these events. The Earl of Arran and his brother, Sir Patrick Hamilton, had made a journey to the Court of France, and were returning through England without safe-conducts, when they were arrested. They declined to take an oath of peace as regarded England. James defended their conduct, but agreed to delay entering into a fresh league with France, in hopes of securing the liberation of his subjects and kinsmen. They were

detained, however, and another grievance arose out of a Border fray, in which a Ker, Warden of the Middle Marches, was slain by a Heron. The murderer had accomplices, Starhead and Lilburn: Heron and Starhead escaped, and James, taking up the feud for Ker, vainly demanded their arrest.

The death of Henry VII. (1509) removed a pacific influence, and left two hot heads, James and Henry VIII., in the not always amicable relation of brothers-in-law. Henry's detention of certain jewels, the property of his sister Margaret, added the petty virulence of a family quarrel to a national debate. On the Continent the banded powers of Pope Julius II., Louis XII., Ferdinand, and Maximilian, united in the League of Cambrai (December 10, 1508), crushed Venice; but the successes of the French alarmed the Pope, who, after three years, formed the Holy League (1511) against France, with Ferdinand of Aragon, Maximilian of Austria, Venice, and Henry VIII. James's ally of France was now in peril. In the intervening years (1508-1512), James had been making warlike preparations, building especially the great ship Michael, with sides of oak ten feet thick, and carrying 1000 men-at-arms, in addition to her crew. His sea-captains, the Bartons, had been waging a kind of piratical war, in Drake's manner, with Portugal, and had caused a number of international difficulties. The Earl of Surrey, indignant at the sight of Scots "pirates" in the narrow seas, equipped two vessels under his sons, Lord Edward and Lord Thomas Howard. These attacked, and, after a hard fight in which Barton fell, took the Scottish vessels, and held them as prizes (August 1511). Henry disregarded James's remonstrances, and was also irritated by the murder of an Englishman in revenge for that of Sir Robert Ker. Thus there was all possible material for a deadly quarrel with England. Henry, with France on his hands, tried to conciliate Scotland; but James would not treat while Henry was a party to the league against France. James was determined not to desert France, but otherwise he laboured for peace, trying to reconcile Pope Julius and the French king. On April 10, 1512, was born a prince, later James V. Meanwhile de la Motte went and came from France, urging Scotland to war with England, for the sake of the Ancient League. The moment was one of the most critical in our history. France was attacked by a great league: Maximilian, the Pope, and England were united against her. If James could have held his hand, the fate of

Scotland might have been less gloomy. But the two old allies had seen much sunshine and much storm together; France had diverted Edward III. from Scotland, when, under David II., she seemed ready to fall into his hands. If France went down before Henry VIII., the turn of Scotland was likely to follow, as James clearly foresaw.[31] Then there were the unsettled quarrels, the family feud about the jewels, and the final appeal of the French queen to James. Hot-headed and high-hearted, James carried into foreign affairs the spirit of a knight-errant. But he also had shrewdness enough to see that the ambition of Henry, and his greed for renown, and his possession of his father's treasures, were all so many menaces to Scotland. Now, with Henry engaged in France, or never, was James's chance. He renewed the Ancient League "against all mortal," and Louis XII. in return naturalised all Scots then resident in France. We have often noted that the Scottish clergy were ever the staunchest defenders of Scottish freedom, and the most determined allies of France. But, at this crucial moment, the aged and excellent Bishop Elphinstone, of Aberdeen, strongly opposed the French alliance, or, at least, was in favour of delay. He was cried down, and the majority of the nobles gave their voice for war.[32] The ecclesiastical statesmen were divided, and Forman, Bishop of Moray, later Archbishop of St Andrews, for his own reasons, was inflaming James in French interests. An envoy of Henry (March 1513), Dr West, found James in a strange mental condition. He had been making a religious retreat, in one of his periodical accesses of repentance for Sauchie fight; indeed, remorse sat *post equitem*, and this gay and gallant knight was ridden by an intermittent fever of repentance. The penitential belt of iron which he wore beneath his clothes was only one proof of a sorrow which he could not drown in wine, or forget in the arms of women. He spoke of a long contemplated journey to Jerusalem, in which France would be serviceable; but, agitated as was his temper, to West he promised no more than that, if he attacked England, he would first announce to Henry in France his intention, by a herald. Nothing can be more curious than the cool business-like letters of West, describing his interviews with James, "a fey man," a doomed and distracted king, on the brink of a tragedy. Dr Brewer represents James as "untrue to his word, and in this respect most opposite to his rival," Henry VIII. If ever a man was false, Henry VIII. was that man, and, in West's letters, the English diplomatist represents Henry as prepared to do

justice to James, in a private matter, only if James will abstain from aiding France.[33] This conduct is not austerely honourable. James was ready to keep the peace if his grievances were redressed. He also explained to West, with much candour, that he expected money from France, in return for his assistance. He declined to sell his famous great ship to Henry. West describes his phrases as "cracks," boastful lies. According to Dr Brewer, James "was bound by treaty . . . not to levy war against England, but allow their mutual differences to be decided by arbitration." Henry, on the other hand, was ready to be just—if James would not aid his ally. At odds with the Pope, James told West that he would appeal to Prester John! West could extract nothing to his purpose.

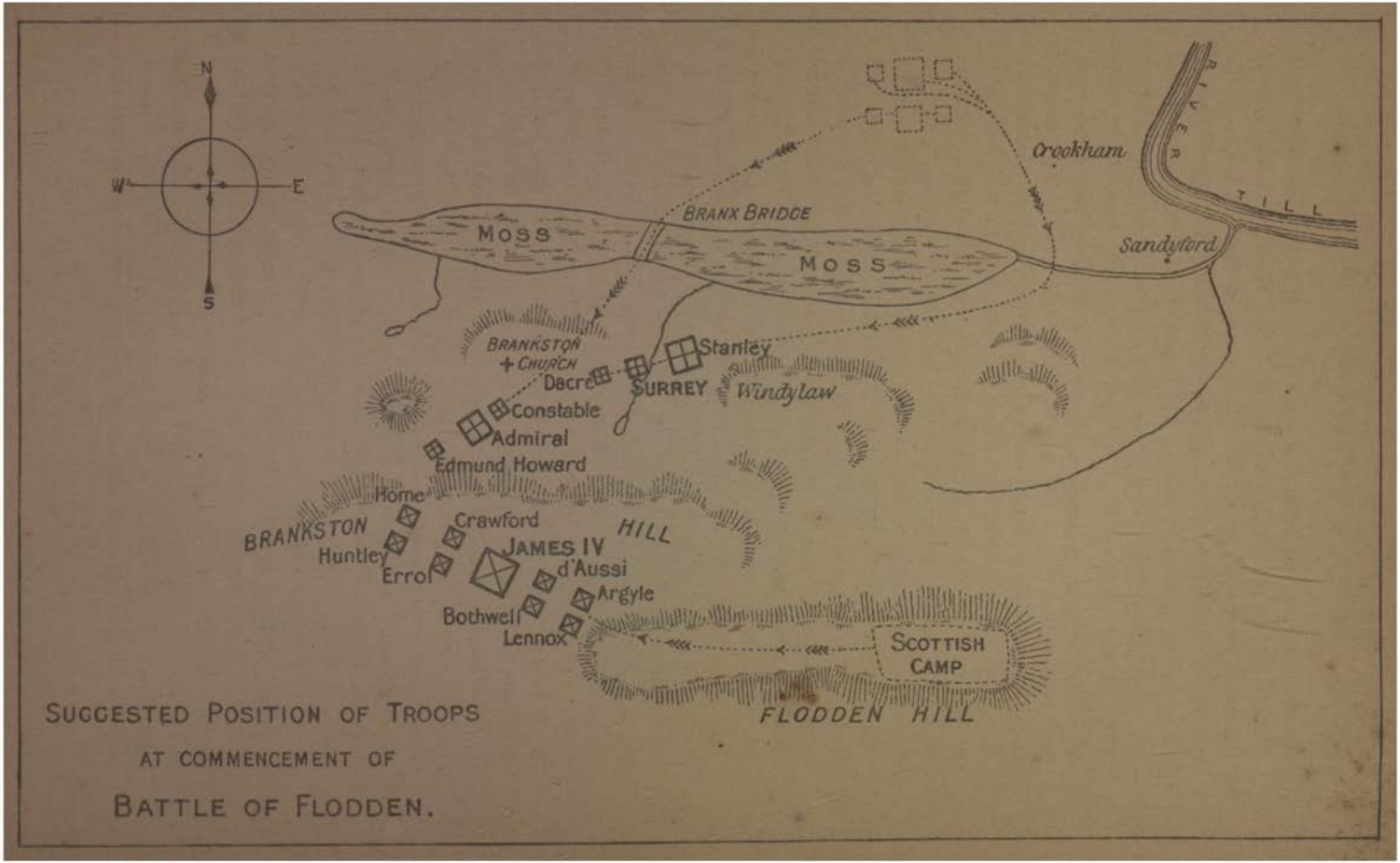
Abroad, Forman, later Archbishop of St Andrews, was dealing with France in the friendly spirit of Bishop Kennedy. He is said not to have been so honest. Then in May, de la Motte came from France, bearing the fatal turquoise ring from the French queen, Anne of Brittany, who dubbed James her knight, and bade him, for her sake, step three feet and strike one blow on English ground.[34] Even now, James made, in a letter to Henry (May 24), an effort to secure peace. France and Spain, he says, have entered into a year's truce from April 8. The Emperor and Henry on Spain's side; James and Gueldres on that of France, may, if they please, be included. James hopes that Henry will agree: he himself is, and ever has been, anxious for the universal peace of Christendom, and war against the Infidels. "Vain hope and vision vain," the very offer of Jeanne d'Arc to Talbot under Orleans wall.[35] But James, always hankering after some expiatory voyage to Holy Land, and "very sad and dolorous," says Pitscottie, in the distracted state of his affairs, appealed in vain to the English king. On June 30, Henry invaded France. James resolved on war. About this time occurred the incident of the mysterious admonishing figure in blue coat and white girdle, which stooped over James at evensong in Linlithgow church, and bade him keep peace and shun women. Young Sir David Lyndsay (a great contemner of "ghaists") vainly tried to seize the appearance. As James, though superstitious, remained unmoved, he probably suspected a device of his queen, though *she* was interested less in peace than in the reduction of James's gallantries. He sent forth his fleet of thirteen ships, with 3000 men under Arran, who, after committing a foolish

and unauthorised outrage on Carrickfergus, in Ireland, was to have been superseded by Sir Andrew Wood. But Wood came too late, and the fleet vanishes into fairyland: part was later purchased by France, part returned battered, of part no tale is told. A herald (July 26) was sent to Henry in France, insults were exchanged, war was inevitable. In vain was a midnight phantasmagoria produced at the Market Cross of Edinburgh summoning the king and his lords before "Platcock," probably Pluto. None the less Home, early in August, made the futile Ill Raid on the English Border, returning defeated and disgraced.

A vast army met on the Borough Moor, Highlanders, Islesmen, Lowlanders (August 13-20, 1513), and, on August 22, "King James was o'er the Border." Wark and Eital castles he took, and, after a siege of five days, made himself master of Norham (August 29). This castle (whose very ruins are of great size and strength, showing wall and trench within wall and trench) is perched on a steep cliff, now covered with wood, above the Tweed. James is said to have had good intelligence from within that the place was weakest, from the crumbling of the soil, where the scaur was most precipitous. Having possessed himself of this strength (a castle of the Bishop of Durham's), which he could not safely leave in his rear, James took Etal, Chillingham, and Ford, which stands on a height above Till, and within scarcely more than a mile of Flodden ridge, across the Till on the north. On Flodden ridge James (who knew of Surrey's approach, and had no time to besiege Berwick) fixed his camp, placing for three or four days his headquarters at Ford Castle. James's sole object was, by making a diversion, to cause Henry VIII. to conclude a peace with France. He wisely lured Surrey as far as possible from his base. There were some negotiations as to sparing Ford Castle, between Lady Heron, James, and Surrey, who was now (September 3) approaching with the Stanleys from the south, by Newcastle and Alnwick. These dealings are all the historical facts behind Pitscottie's and Buchanan's legend that James was distinguished by Lady Heron; and (*teste Pitscottio*) his son, the Archbishop of St Andrews, by her daughter, of whom no trace has been discovered by genealogists. It is conceivable that, in the three or four days of James's stay at Ford, Lady Heron gave the king some encouragement; and it is probable that she gave Surrey some information. From Alnwick Surrey sent his insulting challenge by Rouge Croix: he had been joined by his

equally insolent son with a force of sailors, while La Motte, the French ambassador, was with James. On Monday, September 5, the Scots began to demolish Ford Castle: a tower with the king's rooms, so called, still exists. James now retired to his well-chosen camp on the crest of Flodden. He had secured his flank, by taking the castles, and had caused a diversion favourable to France, which was all that he intended. The English were some 40,000, the Scots perhaps 60,000 men. Desertions are talked of, but the Scots were well provisioned, while Surrey's men, marching, much discontented, under heavy rains, were reduced to drinking water, which no English force could endure. The English army pitched their tents in Wooler haugh, a plain about six miles to the right of Flodden crest. Beholding the impregnable position of James, Surrey, on September 7, requested him to descend to a fair field on the plain. The king replied that "he would take and keep his ground and field at his own pleasure." Surrey then (September 8) put Till between him and the enemy, and marched, possibly behind a ridge of hills, to Barmoor wood, which is north of Flodden, where he encamped in very great discomfort from rain and lack of liquor. James probably supposed that he was marching on the road to Berwick. According to Hollinshed, it was Lord Thomas Howard who now advised his father, Surrey, to cross Till again, and, by a detour, place himself on James's rear. He could thus either force James to leave his hold, or cut off his communications with Scotland. By noon, on Friday, the English van and artillery had crossed Till by Twizel Bridge, which James could not (I venture to think) see from Flodden, while Surrey, with the rearguard, crossed by Millford.

The English now advanced due south against Flodden. They found a kind of natural causeway through a swamp, and moved on towards Branxton hill. This is the middle of three ridges, like a gigantic staircase, descending from Flodden (on the north) to the level of Tweed. James might have sat still on Flodden ridge, and awaited Surrey's attack, if attack he did. James was well provisioned; not so Surrey, who could not have long maintained his position or kept his men together. He appears, according to a letter of the Regency of James V. (January 16, 1514), to have known nothing of the English approach till just before evening, when *Angli se ostentant.* Having lost touch of Surrey, he could not stop him at Twizel Bridge, as Scott supposes, in "Marmion." James, on detecting the English approach, fired his camp, and, under cover



SUGGESTED POSITION OF TROOPS

AT COMMENCEMENT OF

BATTLE OF FLODDEN.

of the smoke, descended from Flodden to Branxton ridge. His army was arrayed in five bodies, the king's in the centre. the four sets of double companies stretching out from it and forward, "like horns." Paolo Giovio uses, here, the very phrase of Zulu warfare; the king's force is the "head," the four other bodies in advance on either side are the "horns." Each advanced body probably consisted of two battalions, under Home and Huntly, Crawford and Errol, d'Aussi and Bothwell, Lennox and Argyll. Home's Border spears and Huntly's Gordons, Errol's and Crawford's men from Perthshire, Fife, and the Merse, were on the Scots left, then the royal division in the centre, with Bothwell's, and the Celtic levies of Argyll and Lennox, on the right of the Scots. In perfect silence, barefoot, because of the slipperiness of the wet hillside, the Scots descended, and the Admiral, on the English right, sent to Surrey to bring up his rearguard. Edmund Howard's force was most advanced, and was charged by Home and Huntly. Dacre, advancing to support Edmund, was deserted by his Tynemouth men. Brian Tunstal fell, the Cheshire levies were wavering, when Dacre checked Home and drove off Huntly's men. It is said that Home's Borderers began to plunder: their whole conduct is mysterious.

Meanwhile the Admiral, in the centre of the vanguard, clashed with Crawford and Errol. Crawford fell, Rothes was slain, Errol's command was broken by the Percys. James now threw his centre against that of Surrey. The English artillery mowed down his charging spears, while the Scottish guns, ill-worked, were silent or useless. Attended by Herries and Maxwell, James appears to have made straight for the English standard, and for Surrey himself, described (by Pitscottie) as a decrepit creature in a chariot. While the central ranks of England reeled under James's charge, the Admiral and Dacre, successful in their own affairs, fell on the flank of the Scottish centre, which was now aided by Bothwell, with the forces of the Lothians. The ancestors of Knox may here have fought under the Lions and the Rose of Hepburn. Meanwhile "Stanley broke Lennox and Argyll": the Celts, as at Fontenoy, charged "like furies," but in vain. Lennox and Argyll fell like heroes on the right, while their men fled. Meanwhile the Scottish centre maintained that desperate battle of spears against the deadly sweep of the English bills, odds which Scott has made immortal.

> "The stubborn spearmen still made good
> Their dark impenetrable wood,"

even while Stanley, too wise to pursue the fleet-footed Highlanders, threw his forces also into the mass which assailed the peers of Scotland and the king. Rear, flank, and front of the Scottish centre were now attacked by footmen and horsemen, lances and bills. James fought his way within a lance's length of Surrey, as Surrey confessed, and there died, his body riddled with arrows, his left hand hanging helpless, his neck deeply gashed by bill or blade. But his lords and men, as at Neville's Cross, pressed forwards round the king who had died before their front rank, and night fell while the "dark impenetrable wood" of spears was yet unbroken.

Morning found the hill deserted, the artillery unguarded; but the Scots under Home had to be scattered by a discharge of cannon before they abandoned a chance to plunder The English in the morning captured the seventeen deserted pieces of Scottish artillery, which had been silenced at the beginning of the battle, says Hall. They were on a height, and the Scottish gunners may have been unskilled in firing at objects below them. Moreover, the fighting at Flodden was hand to hand, after a brief artillery duel, and it was impossible to shoot into a melley of friends and foes.[36] A letter from the Bishop of Durham, whose castle of Norham had been ruined, adds a few details of the fight. It was won, not by archery, as it was natural to suppose, but by the sweep of the English bills, which sliced off the points of the long spears in which the Scots put their trust. The arrows, the bishop declares, did not harm the armed nobles, "such large and strong men that they would not fall when four or five bills struck one of them." The Borderers, we learn on this good authority, plundered during the battle—plundered both sides. They were led by Home, presently to be a world's wonder for his treachery—a friend of Angus—and the bishop's letter justifies the legendary contempt of Home which is expressed in ballad verse—

> "Up wi' the Sutors o' Selkirk,
> And down wi' the Earl o' Home."

The saddest circumstance is that the English had been deprived of beer for three days, and could hardly have endured another day of drought; while it is melancholy to think that if the Scots, on Flodden side, had sat still, drinking their beer, which the learned bishop highly commends, the force of Surrey, unvictualled, would have melted like a mist.[37]

The English found thirteen earls dead in a ring around the body of their prince: the Archbishop of St Andrews, his young son, had also fallen with the Bishops of Caithness and the Isles.[38] With these clerics died many lords and chiefs, while the song attests the slaughter among the yeomanry and burgesses,—"The Flowers o' the Forest are a' wede awa." This defeat was the great sorrow of Scotland, and, even now, in any national misfortune, people say, "There has not been the like since Flodden." But no defeat bore less of dishonour, no battle lost by chivalrous folly was ever so well redeemed by desperate valour, and no fight since chariots charged on the plains of windy Troy has been so chanted by a descendant of the Flowers of the Forest.

They carried back their banner, as tradition runs, to the little town of Selkirk, where a yearly ceremony keeps alive the recollection of their immortal defeat. The Scots long cherished the inevitable hope that their brave king had not died,—like Arthur he would come again.[39] But his dust wastes in England, and his sword and dagger are now in the College of Arms in London, glorious spoils of war. It had been well if his descendants at Edgehill, Montrose, and Culloden had known, as the fourth James knew, how a king should die.

If want of supplies prevented Surrey, as something did prevent him, from pursuing his victory (so the Bishop of Durham alleges in his contemporary letter), that offers another proof of James's error in deserting his original position. He had turned back from Surrey once, and therefore, perhaps, hurried from Flodden Edge to meet him. It is probable that Surrey's force was nearly as crippled as that which, with almost all its leaders dead, drew sullenly across the swollen and darkling fords of Tweed. These losses of Surrey's, it is true, could not be gathered from Henry's letter to the Pope. He represents Surrey's force as greatly inferior to that of James, and declares that the victory was gained with little loss to England. In this letter Henry asks that St Andrews shall be reduced to a simple bishopric, dependent on York—a position from which, for a personal reason, he soon receded. As James died excommunicate, and at odds with the Pope, Henry begs leave to bury him with Royal honours in St Paul's.[40]

In these ages the fortunes of a nation depended, to an extent now not readily conceivable, on the personal character of the king. In spite of the odious crime of his youth, which saddened him at in-

tervals, and set him on pilgrimages and practices of penance, the character of James IV. was "in harmony with his environment." Consequently he was happy, or at least joyous, while Scotland assuredly advanced in wealth, commerce, learning, literature, and the general consideration of Europe. She, too, had her part in that rising wave of genius and discovery which accompanied the finding of America, the invention of printing (which reached Scotland under James), the revival of knowledge of Greek and of the ancient world. As Leo X. said, it was then good to be alive. There was a vast secular blitheness in the air; the clergy took more than their part in a movement which might be typified by Titian's picture of the revel of Dionysus. From this ecclesiastical luxury and laxity was to come the reaction of wrath, and from the fresh criticism of the age arose the Protestant revolt, and Puritanism. But these did not yet rule the world.

The temperament of James was gay and generous: he was physically strong, and, as has been said of him, probably the most active man in his kingdom. The king showed himself everywhere, in progresses and journeys of "Ayre," for the administration of justice. He rode about unattended and safe, mixing incognito with the people, an equestrian Haroun Alraschid. His delight in horses and hunting, pageants, dances, athletic pastimes, practical affairs, shipbuilding, forging arms, dentistry, and even in the early chemistry and nascent physical science of the time, won favour, from his subjects, even for his interest in the fine arts. He was here "his father's son, without his father's melancholy reserve. The qualities which made Charles II., in spite of his innumerable faults, to be loved and popular, shone in the manlier and more spirited character of James IV. His extravagance did not provoke discontent, as his father's reputed habit of hoarding had done. He flattered the intense national pride by making Scotland to be sought after and respected, by his successful interference in Danish affairs, and by his resolute yet winning attitude in face of foreign Powers. His letters to his kinsman, the Duke of Gueldres, show an aspect of political common-sense which we do not usually associate with his character.[41] He took a wrong from no Power—Portugal, France, or England. His adhesion to the French alliance, regretted, it is said, by a minority of the nobles, had the sympathy of the people.

A letter from Ayala, the Spanish ambassador, to his Government (July 25, 1498) may be contrasted with the lamentations of Æneas

Sylvius Piccolomini, shivering through wintry Scotland some seventy years earlier. Ayala was sent in the interests of Spanish friendship with England, but he was thought to fall too much under the genial charm of James. The king "is of noble stature, neither tall nor short, and as handsome in complexion and shape as a man can be." He wore his hair and beard long. He spoke Latin and Spanish very well, also French, Gaelic ("the language of the savages"), German, Flemish, and Italian. Scots is said to vary from English as much as Aragonese from Castilian. He had read much, in history and the Bible. He was scrupulously exact in religious duties; would not ride on Sunday, even to Mass; veracious even in jest, but in battle far too venturesome for a king, and apt to begin fighting before making his dispositions for the conduct of the battle. Thus was Flodden lost. He was the most temperate man out of Spain, and had abandoned his love intrigues, "as well from fear of God as from fear of scandal in the world, which is very much thought of here." This was a temporary repentance.

The revenue, we learn from Ayala, was derived from rent on arable and pastoral lands. The import duties were trifling, but export duties on wool, hides, and fish were considerable. Then there were fines, feudal incidents, and rent in kind, fish, and poultry. There was little or no reserve of coined money. The people are poor, and too warlike to be industrious, though the king has in some degree abated private feuds. The property of the country (by an exaggeration) is reckoned to have been increased by a third. Fish is wonderfully abundant. Corn is good, but more land might be under tillage. We learn, accidentally, from Hall, that one cornfield, under Flodden, was regarded by the English as a fair field of battle, being large enough for both armies to encounter in. This was just over the Border, and it is likely that great fields were also cultivated in the neighbouring parts of Scotland. The people are handsome, they dress to the limit of their means, are hospitable, brave, strong, and agile, but extremely envious. The army "does not cost the king a penny"; but, for want of a regular paid force, the Highlands could never be controlled by garrisons, and nobles like Huntly and Argyll were intrusted with powers which they were certain to use for their own advantage. This, indeed, is one great secret of the Highland troubles. Ayala declares that two earls brought in 30,000 picked and well-armed men, not half their actual following. The Highlanders "do not know what danger

is," which lesson they learned at Flodden. The prelates have the chief share in administration. The royal progresses are frequent, partly for the administration of justice, partly that the Court, in each district, may consume its rents in kind. The women are frank but chaste, absolute mistresses in their own houses, and, as regards finance, "even of their husbands." They are very graceful, handsome, and well dressed, better dressed than the English. "The houses are good, all built of hewn stone, and provided with excellent doors, glass windows,[42] and a great number of chimneys. There is as great difference between the Scotland of to-day and the Scotland of old time, as there is between bad and good."[43] This may be a flattering picture, but it must indicate a marked advance on the material prosperity of fifty years earlier.

Well educated himself, James was interested in education. The Parliament of 1496 decreed that all Barons and Freeholders of competent estate should send their sons to school, at eight or nine, till they had learned Latin, after which came a three years' course in "the schools of Art and Law." Aberdeen University, founded by the public spirit of the good Bishop Elphinstone, arose early in 1495. The College of St Leonard's, in St Andrews, was founded by Prior Hepburn. Printing was introduced in 1507, by Walter Chepman, who received a royal patent. The educational reforms of the reign were certain to end in the overthrow of the power of the Church. More and more, and rapidly too, laymen would become fit to take the places of clerics such as Andrew Stewart, Bishop of Caithness, one of the king's chief officers of the revenue; Elphinstone, the old and respected Bishop of Aberdeen; Forman, the diplomatist, Bishop of Moray, the Wolsey of Scotland, and a fomenter of the war which ended at Flodden. Another great ecclesiastic was James Beaton, Archbishop of Glasgow, and later of St Andrews, one of the Beatons of Balfour. He was uncle of Cardinal Beaton, who was uncle of Queen Mary's Beaton, Archbishop of Glasgow, her Ambassador at the Court of France. These men combined many lucrative offices: their morals, as a rule, were lax, especially as to love of money, they were exposed to envy, and when an educated generation of lay nobles arose, they and their Church were doomed to fall together. To educate a new class is to transfer power and property; and the universities, endowed as bulwarks against heresy, proved to be fountains of heterodoxy, like the Well of St Leonard's. The prelates under James IV. may have

been respected, as Ayala says; but only two generations or less lay between their successors and the virulent derision of Knox. Already, under James IV., we find Dunbar writing—

> "Sic pryd with Prellatis, so few till preiche and pray,
> Sic hant of harlottis with thame, baith nicht and day."

It is already the complaint of Knox against "dumb dogs of bishops" and amorous cardinals. The general satire of Dunbar tries to prove too much, for example that oppression and injustice were never so rife before in Scotland. This is the common error of satirists. But James set an ill example in giving St Andrews to his natural son, a minor, the pupil of Erasmus. Benefices were being robbed, under one colour or another, by the nobles. "In one see there had been a succession of Stewarts, in another of Gordons, in another of Hepburns," says Mr Gairdner, and James was a sedulous jobber in the good things of the Church. In the next reign the Church ran through scandal to ruin.

In land tenure a change was made by a statute of 1503. "It shall be lawful to his Highness to set all his proper lands, both annexed and unannexed, in feu farm," that is, on a rent payable in money or kind, with or without stipulated "services," but free from military service, and incidents of "ward." Rents would rise, but feudal casualties would be avoided by the tenant. In the case of small holdings the increase of rent led to hardship and changes of occupants—

> "The gentlemen their steadings take in feu,
> Thus must they pay great rent or leave their stead."

So writes Sir David Lyndsay in the following reign.[44] A judicial reform was attempted (March 1504) in the establishment, by Parliament, of a Court of Daily Council. Judges, selected by the king, were to sit daily in Edinburgh, or wherever the king resided, "to relieve the Lords of the Session of the confusion and pressure of business, . . . and to afford immediate redress to those poorer litigants whose matters had been delayed from year to year" (Tytler). In 1505 the College of Surgeons was instituted by the Town Council of Edinburgh, and in 1506 was erected into "The Royal College" by the king. On the whole, we are now beginning to enter on really modern history, industrial, commercial, free-

thinking, for the reign of James IV. held nearly all the sunshine of the Renaissance that ever beamed on Scotland.

> "There came a wind out of the East,
> A sharp wind and a snell,"

and the spring of the Renaissance was blighted by a gale from Geneva. With the death of James IV. ends the brief European success of Scotland. It is singular that James fell in a contest, practically, with the Papacy, and with that champion of the Papacy who was to become its most dangerous foe, while James's descendants were to lose all for the Holy See. The problem of Scotland, from the days of Edward I., had been to keep her independence at any material cost. This necessarily united Scotland with France, and that alliance was occasionally fatal. The temporal and even, later, the religious interests of Scotland drew her mainly towards England, while national pride tempted, some aver, even the Cameronians, as late as 1707, to welcome a king fostered by France. In the reign of James V. a Scottish reader's sympathies will be divided between patriots who stood for the nation and the Church, on the one side; and politicians on the other, who were ready to make an Englishman their king and master, by no means purely in the interests either of national prosperity or of Bible truth. While the Anglophiles' was the winning side, and while their cause was, as we believe, finally the better for the national welfare, we must not let either their success, or our sympathy with freethought (which the Reformers detested when it did not agree with their own ideas), blind us to the recklessly shameful, selfish, hypocritical, and sanguinary character of certain intrigues. These will be, to some extent, elucidated in the following chapters. In leaving the reign of James IV., it should be said that Flodden was in one sense a decisive battle. Not for more than a century did a Scottish army dare to venture far across the Border, as, later, to Worcester, or to Derby. So permanent was the effect that a descendant of one of the Scottish heroes (the late Lord Napier and Ettrick) told the author how, when his father took him to view Flodden, about 1830, there were tears in the elder man's eyes.

NOTES TO CHAPTER XIII.

[1] Hume Brown, p. 247. Ferrerius may be cited to the same effect. See note at end of last chapter.

[2] Accounts of Lord High Treasurer, i. lxix.

[3] Fœdera, xii. 346, July 26.

[4] The poisoning of Lady Margaret Drummond and her sisters is mysterious, and may have been accidental. Tytler was mistaken about the early *liaison*. Cf. Treasurer's Accounts, i. cxxxiii.

[5] Treasurer's Accounts, i. 99, 117, 118.

[6] Gairdner's Letters of Richard III. and Henry VII., i. 385. Treasurer's Accounts, i. 133, cvi, 180. Tytler dates Angus's exile to his castle of Tantallon (July 29, 1491) after the conclusion of this treaty. The treaty, however, is indorsed "in a modern hand," November 16, 1491. Dr Burnett, Exchequer Rolls, x. lv, makes Angus's loss of lands subsequent to his treaty, as does Mr Dickson, Treasurer's Accounts, i. cvii. Sir William Fraser objects to the date of the treaty (November 16, 1491), that it is only indorsed in a modern hand, and that in November 1491 Angus was in Scotland. He attributes the treaty to the end of 1489, when Angus was absent from Scotland, and had English safe-conducts. (Compare Gairdner, Richard the Third, 299, note.) One thing is certain, if the treaty is of November 1491, Angus cannot have been "commanded to Tantallon" in July 1491, *after* making the treaty.

[7] Fœdera, xii. 440, April 17, 1491.

[8] In 1488 the Pope had freed the Bishop of Glasgow from subjection to St Andrews. Theiner, p. 502. The bishop, Blackader, had been of James's party against James III.

[9] Knox, i. 11, 12.

[10] Rot. Scot., ii. 503. The treaty with France, negotiated by the new Earl of Bothwell, Patrick Hepburn, is in 'Inventaire Chronologique des Documents relatifs à l'Histoire d'Ecosse,' p. 53—Abbotsford Club.

[11] Tradition, *apud* Gregory, History of West Highlands, p. 89.

[12] The tradition, in Macvourich's late MS., is confirmed by a charter to MacIan. Gregory, p. 90.

[13] For authentic records of these persons, see Gairdner's Richard the Third, pp. 334, 335. For a letter of Perkin to his mother, cf. p. 329.

[14] Richard the Third, p. 268 (edition of 1898).

[15] Treasurer's Accounts, November 26, 1488; February 27, 1489-90.

[16] June 23, 1495. Fœdera, xii. 572. Mr Tytler points out that there had been a raid on England, in Perkin's interest, by Elliots, Nixons, and Henrysons, in the autumn of 1493. Tytler, ii. 117, note.

[17] Fœdera, xii. 572. Bergenroth, Catalogue of Spanish Papers, i. Nos. 130, 137, &c., &c.

[18] Bergenroth, i. No. 132.

[19] Ellis, Original Letters, 1st series, i. 23-32.

[20] If we could believe Ramsay's story, the Earl of Buchan, his ally in a previous plan for kidnapping James, had never forgotten the part James played at and before Sauchie, never forgiven James's parricidal revolt against Buchan's nephew. Buchan must have trained the Duke of Ross to rise against James as James had

risen against his father. But, in opposition to Ramsay's tale, we have the Duke of Ross's large contributions to aid Perkin's war, and the fact that he was forwarding "The White Rose's" (Perkin's) letters to the Duchess of Burgundy. Treasurer's Accounts, i. cxxxviii. Mr Tytler believed that the Duke of Ross, Buchan, and the Bishop of Murray were really in league with Ramsay (*ci-devant* Bothwell) and Henry VII. to kidnap Perkin, while the Duke of Ross was to place himself in the hands of the English king. Letters, Pinkerton, ii. 438, 443; Tytler, ii. 118, note 2 (1874).

[21] Gairdner, Richard the Third, pp. 317-326; Treasurer's Accounts, pp. clii-cliv.

[22] Treasurer's Accounts, pp. clvii. 352, 353.

[23] Fœdera, xii. 673.

[24] Gairdner, Richard the Third, p. 327.

[25] In this view of the circumstances I follow in part Mr Gairdner's theory (Richard the Third, pp. 316-327). When Perkin left Ayr, James intended him to land in England, and raise a Yorkist force. Meanwhile James would aid him by a diversion on the Border, just as he aided France in the campaign ending at Flodden. But Perkin, in place of going straight to England, wasted time in Ireland, and finally failed egregiously at Taunton. James, therefore, had no more motive for, or hope in, war with England.

[26] Gregory, pp. 53, 96.

[27] Act. Parl. Scot., ii. 240 (1503).

[28] Mr Tytler, anxious perhaps "to be rid of a knave," makes Donald Dubh carry "his aged head" to Ireland, "where he soon after died" (1506). Donald Dubh, in fact, was taken prisoner, and committed to Edinburgh Castle. He was not so "aged" but that he had a final escapade forty years later, in the Regency of Arran, during the minority of Mary, granddaughter of James IV. Tytler, ii. 130; Gregory, p. 103. Donald Dubh was the last male of his house in the direct line—that is, granting his legitimacy. But Mr Burton calls Donald a bastard, "illegitimate like his father," Angus Og, "in the succession to the lordship of the Isles the rule of legitimacy was suspended."—Burton, iii. 64 (1873). Act Parl., ii. 247.

[29] Treasurer's Accounts, p. 85.

[30] Gairdner, Letters, i. lxi.

[31] See his Letters to the King of Denmark, &c., reproduced in Mr Gregory Smith's 'The Days of James IV.,' pp. 124-139, an excellent *résumé*.

[32] Boece, Lives of Bishops of Murthlac and Aberdeen. In Gregory Smith, *op. cit.*, pp. 137-139.

[33] Letters and Papers, Brewer, i. 521. If James, as in Dr Brewer's opinion, was untrue to his word, then

> "His honour rooted in dishonour stood,
> And faith unfaithful kept him falsely true,"

for he was also, and apparently, since 1491, had been pledged to the French alliance.

[34] Pitscottie tells the story of the ring. Mr Hume Brown adds that a turquoise ring, said to have been taken from James's finger, is (with his sword and dagger) in the College of Heralds at London.

[35] See the Letter of May 24, 1513, in Gregory Smith, *op. cit.*, p. 136.

[36] The account of Flodden is mainly from 'Flodden Field,' by Mr C. J. Bates (Newcastle, 1894). Mr Bates has made an elaborate collection of the evidence. The writer has also gone over the ground. See note "Flodden," *infra*.

[37] L. and P., i. 674.

[38] A plain sapphire ring, perhaps from the hand of one of these prelates, was found on the field, and is in the British Museum.

[39] The English never showed his penitential belt of iron. See Queen Catherine's letters, Ellis, i. 88-91.

[40] Theiner, p. 511.

[41] Much of James's foreign correspondence is in Mr Gairdner's 'Letters and Papers,' already cited. The letter to his kinsman, the Duke of Gueldres, proving James's loyalty to Henry VII., is of 1505 (L. and P., ii. 192).

[42] The glass was imported, and probably not in very general use.

[43] Calendar, S.P., Spanish, i. 167-170.

[44] Cf. Exchequer Rolls, xiii. cxxv.

FLODDEN.

That James justified Ayala's criticism, at Flodden, by fighting "before he had given his orders," and by playing the part of the knight adventurous rather than of the general, is certain. But his previous conduct in the campaign has been, perhaps, too hardly judged. Thus Mr Hume Brown (p. 334) makes James expend "six *weeks*" in besieging Norham Castle. This is a manifest slip of the pen; six days are meant, or rather five days (C. J. Bates, "Flodden Field," 'Archæologia Æliana,' p. xvi). On August 29, when Norham fell, the Scots had been but one week on English soil. Yet Mr Hume Brown says, "For a feudal host his army had already been long in the field." Buchanan's account of James's proceedings just before the battle seems to be prejudiced or misinformed ('Rer. Scot. Hist.,' fol. 151 : Edinburgh, 1582). James only stayed at Ford Castle "for the inside of a week"; his army cannot, if we accept the English accounts, have been much weakened by desertions, as Buchanan asserts, "*sui tam pauci.*" Nor did the Scots lack supplies, as Buchanan would have us believe that they did or feared that they might come to do. The Bishop of Durham reports "their abundance of victual, wines of all sorts, beer and ale . . . not lightly credible, unless it had been seen, tasted, and viewed by our folks to their great refreshing" (Ruthal to Wolsey, September 20, 1513; Gregory Smith, p. 171).

To take Norham Castle was necessary, and it was done with surprising celerity; while Etal, Ford, and, it seems, Chillingham, were also reduced. Mr Hume Brown, however, says that James was "wasting his time in these petty achievements, letting slip the opportunity of striking a really important blow, and specially of taking at advantage the coveted town of Berwick, then unprepared for a formidable attack." It is not, perhaps, possible for us to say whether James *could* have taken Berwick between August 22 and September 6; and, had Surrey found him failing before Berwick, James's position would have been disastrous. Buchanan makes James's advisers suggest the attack on Berwick, and aver that it was unprepared for resistance. But this is hardly evidence; and, if Norham held out for five or six days, how long might not Berwick have resisted, especially as, in Buchanan's theory, but few standards were left, most of the army having deserted? Norham fell on August 29; the pause for negotiations as to Ford Castle ended on September 5. Who can say that Berwick Castle might have been won in that brief interval? James's policy was simply to make a diversion in favour of France, by luring Surrey as far north as possible, and awaiting him on the apparently impregnable post of Flodden Edge. It was necessary for James to destroy the cover of his approaching foe by taking the neighbouring castles, and this he

did. That he dallied with Lady Heron is "an old wife's tale," says Mr Bates, referring to his own 'Border Holds' (i. 305-309). Declining Surrey's provocations to a fight on the level plain, James held to Flodden Edge, and, perhaps, made no serious military error till, after totally losing touch of Surrey, he permitted him to advance from the north, and was thus allured from his stronghold on Flodden. It seems a great fault in James that he did not keep in touch with Surrey, by aid of a handful of Home's Border prickers. Indeed Mr Bates supposes that James was "perfectly well aware of Surrey's advance to Barmoor, and no doubt concluded that he was on his road to Berwick, which, indeed, would have formed a good base of operations" (Buchanan, ed. Elzevir, p. 494). James, in truth, was perfectly out-manœuvred for lack of intelligence, which 'as far as we can see' he might easily have procured. Even if he had not held the bridge at Ford (Bates, p. 61), surely a Border horseman could have swum the flooded Till, and brought information. Meanwhile Surrey's march round by Twizel, with an army fatigued, drenched, ill-fed, and all but mutinous, was an adventure so daring that it could only be justified by success. That it did succeed is the highest testimony to the marching and fighting powers of the English people under arms. It is to be supposed that, on seeing the English make for the second step of the great staircase between Flodden Edge and the plain, James feared that they would cut his communications with Scotland. Now this could not readily have been done, especially as, by the rules of the challenge, Surrey was bound in honour to fight that day. If he did not, he was dishonoured; moreover, as a matter of fact, he could not have held Branxton Edge for lack of supplies. James, however, did not await the attack which Surrey was bound to deliver, in his stronghold of Flodden, but moved down-hill under cover of the smoke of his burning camp. From this moment better discipline than that of Celts and Borderers, better artillery, and the sterling qualities of the English levies, with the headlong ardour of James, made the Scottish defeat a certainty. The English never won a better deserved victory.

The authorities have been marshalled by the industry of Mr Bates:—

1. Surrey's despatches, through Queen Katherine, to Henry VIII., then besieging Tournay. A. 'The Gazette,' in French, signed Thomas Howard, the Admiral (Pinkerton, ii. 456-458). B. This exists in a Latin version, written from Rome, November 17, 1513, to Cardinal Bainbridge, printed by the Roxburghe Club, 1825. The version in our Calendar of State Papers, Venetian ii. 134, is "an abstract, of doubtful accuracy, taken from the Sforza archives, at Milan."

2. The popular 'News-letter,' 'The Trewe Encountre or Batayle lately don betwene Englande and Scotlande,' of which a lost part was discovered, in MS., by Dr Laing ('Proceedings of Soc. Ant. Scot.,' vii. 141, 1867.

3. An Italian song of triumph. 'La Rotta d'Scocesi' (Roxburghe Club, 1825). This poem has a curious interest. Buchanan avers that Angus Bell-the-Cat (that veteran traitor) made a long speech, before the battle, advising retreat, and that James bade him go home, if he was afraid. Angus replied, weeping, that, "while his bodily strength endured, he had never spared himself for the safety of the realm, and the glory of the king" (Buchanan, fol. 152). To cite Dr Johnson as to one Pott, "If Angus said that, Angus lied." He had mutinied under arms at Lauder Bridge; he had, with Albany, intrigued to lay Scotland at England's feet; he had raised the standard of parricidal rebellion at Sauchie Burn; he had disposed of himself, and promised to sell the passes of Liddesdale to Henry VII. We are not moved by the tears of this venerable impostor, who, says Buchanan, withdrew, leaving his sons and retainers. But did this event occur at all? The Italian

poem, written "the moment the details of the victory arrived at Rome," says that, in the thick of the actual fighting,

> "Veniva appresso il Signor Dalisse:
> quel vecchio che con lunga orazione
> lo dissuase do sta impresa, et disse
> che ella seria la sua destrutione."

The old Lord Dalisse is clearly Douglas, that is, Angus, and this is at least contemporary, if untrustworthy, evidence (Bates, p. 19; 'Rotta,' p. 35).

4. 'Scotish ffeilde,' by a Cheshire Squire, Leigh of Baggaley Hall, written about 1515 (Percy's Folio, Hales and Furnivall, 1867, i. 202).

5. A letter of the Regency of James V. to the Danish Court, January 16, 1514 ('Epist. Reg. Scot.,' p. 187).

6. Pauli Jovii. Historiarum sui temporis, tomi i., ii. Florence, 1550, 1552.

CHAPTER XIV.

JAMES V.—THE MINORITY.

SCOTLAND accepted her defeat at Flodden with a grief equalled by her resolution. The merchants of Edinburgh, in the absence of the magistrates, fallen in fight, discouraged the noisy displays of feminine excitement, and set about building that wall over whose ruined part Bothwell tried to clamber on the way to the murder of Darnley. The wall, narrowing the space, naturally led to the erection of the high many-storeyed "lands," yet conspicuous in the Old Town. But there proved to be no real ground of alarm; Surrey could not invade in force, and Border raids under Dacre, with reprisals by Home, were the only military movements. This reserve can hardly be attributed to the chivalry or benevolence of Henry.

In late September a Parliament, in which the clergy must have preponderated, met at Stirling, where the infant James I. was crowned. James Beaton, Archbishop of Glasgow, with Huntly, Angus, and Arran, were to be the advisers of the queen-mother, who, by an arrangement that could not hold long, and in deference to James's will, was guardian of her son. If we follow Leslie, "they next came to Edinburgh," where disputes arose as to the vacant benefices. To settle the disputes, messengers were sent to Albany in France, the son of the traitor to James III. Albany commissioned an ill-starred knight, de la Bastie, to bear his answer, and early in November he, with Arran, arrived. He delivered to a Parliament at Perth the proposals of Louis XII. for the continuance of the old league, and for the return of Albany with forces. Henry VIII. attempted to prevent Albany's arrival, and war continued on the Borders in the spring of 1514. A Parliament held at Edinburgh in March 1514 formally summoned Albany, and Islay Herald

was sent to bring him over.[1] On April 30 Margaret bore a posthumous and short-lived prince, the Duke of Ross, to James IV., who, obviously, cannot have been neglecting his wife, as we read in 'Marmion.' The disorders of the country may serve as a pretext for Margaret's next step: on August 6 she married the young Angus, grandson of Bell-the-Cat, a wedding of infinite consequences. First a feud with Home, the Chamberlain, arose: he was then a partisan of Albany, whose interests were threatened by the match. Arran and James Beaton were no less alienated while the death in October of old Bishop Elphinstone, nominated to the see of St Andrews, let loose the waters of strife. Margaret selected for St Andrews her uncle-in-law, the famous translator of Virgil, Gawain Douglas, and on November 23 wrote from Stirling Castle, in his behoof, to Henry VIII., who had already solicited the Pope.

The project was excellent. Never had the Bishop, or Archbishop, of St Andrews failed to oppose the designs of England. But now, with his sister and Angus in possession of the infant king, and with Angus's uncle as head of the Scottish Church, Henry's position would have been strong beyond precedent. Already Gawain Douglas had seized and held the castle of St Andrews. But all of Henry's hopes were to be defeated. His sister, even when she wrote from Stirling, was blockaded, or at least threatened there, by Home and Arran.[2] She was imploring Henry to release her with an invading army. At about the same time Gawain Douglas was besieged in the St Andrews Castle by Hepburn, that militant prior who founded St Leonard's College, fortified the abbey with a strong towered wall, and left his arms blazoned on many a stone of the ancient city. Hepburn had been duly elected by the canons; he thought, also, that he could rely on the old family band with the Homes. But there was another candidate. Andrew Forman, the diplomatist, and Bishop of Murray, was a reckless pluralist, holding benefices, the gifts of grateful potentates, in Scotland, France, and England. Yet, as contrasted with the avarice and vindictiveness of Hepburn, Buchanan asserts Forman's "contempt of money" and "genial, venial faults." Forman was a client of Home's, and, says Buchanan, Home promulgated a papal bull, by which Forman was made Archbishop (November 23, 1514, according to Lesley, but the date was January 16, 1515). Therefore, in revenge, if we credit Buchanan, Hepburn later pois-

oned the mind of Albany against his partisan Home, though Dacre probably caused the subsequent feud between these two nobles. The queen herself was now in the hands of Home's party in Edinburgh; so crowded with events was the November of 1514. In January 1515 (Francis I. now reigning in France), Lennox and Glencairn seized Dumbarton Castle; and Arran nearly captured Angus, the whole country "thinking long for Albany," as a reconciler of intolerable feuds.

Since August 1514, England and France had been at peace, and distracted Scotland, but conditionally included in the truce, had not even a platonic ally. Therefore, on May 15, 1515, Scotland bowed her pride and entered into the truce; two days later Albany landed, as one *everso missus succurrere sæclo*. The quarrels of the clergy, it seems, had been partially composed; Forman having ceded to Hepburn such revenues as he had uplifted already, and making him a yearly pension; while Hepburn's brother, James, got Forman's late bishopric of Murray, and a brother of Home received the Abbey of Coldingham. The exact date and details of these arrangements are dubious, and it is at a future period that Lesley makes Albany smooth the troubled waters with the oil of ecclesiastical good things, namely, as late as March 1516, Forman giving up some of his holdings with an easy grace. However this may be, Lesley throws, not unjustly, on the State this crime of bestowing Church wealth on the scions of turbulent noble families, without any respect to their piety, conduct, or learning. Huntlys, Homes, Ogilvies, Dundases, Hamiltons, and Douglases all got sops to keep them quiet: benefices were mere bribes, hence contempt for the Church; hence, presently, blazed "the fiery flame of heresy."[3]

Though the war of the clergy abated, Albany, who was proclaimed Regent, and guardian of the princes, in July 1515, had to show the strong hand. For dealings with the Pope, and treason, Gawain Douglas, like George Wishart later, was warded in the cold sea-tower of St Andrews Castle. This was one blow at Angus; another was delivered when the queen-mother, his wife, was commanded to yield up her children to a committee of four lords. Albany was still strong in the weight of his July Parliament and new regency. The queen, from behind the portcullis of Stirling Castle, declined to surrender the persons of her sons, though Angus himself formally protested against her action. Albany

blockaded the place, and brought up siege-guns. A plot of Dacre's to seize the young king, and carry him into England, failed. The scheme was that Angus and Home, with sixty horse, should cut the prince out of his mother's blockaded castle. George Douglas, Angus's brother, the stirring, astute, and inveterate traitor, actually entered the place. But the sixty lost sixteen of their men, and Henry VIII. failed in the first of his successive plots to trepan his nephew. On August 4, 1515, Albany appeared before Stirling in force; George Douglas fled; the queen-mother surrendered, and came to Edinburgh, as Albany had the pleasure of informing Dacre, who was intriguing with Home, now the inveterate foe of Albany, and with Angus.[4]

Dacre's instructions and behaviour were examples of the Tudor policy in Scotland. From Flodden Field to Fotheringay it had one steady purpose, to foster factions in Scotland by every form of deliberate perfidy. The English idea (in a political phrase of later date) was to "box it about." By money and by lies to purchase traitors, to hire stabbers, to breed mischief, to subsidise rebels, to break up all honest national union, to sow suspicion, to debauch loyalty,—such was the reputable business which Dacre, like Randolph and Sadleir in after-years, pursued with zest, and proclaimed to his employers with relish. The great power of England, baffled a hundred times in her old pretensions of supremacy, defeated in open field, or faced with tireless resolution, sank to the cowardly daggers, or the base intrigues, of such weak causes as are worked by priests and women. By those means England kept Scotland wretched in disunion, and had always her cave of Adullam open for broken men. The result was the growth in Scotland of an English party of men bought, or men disheartened, till sympathy with Protestantism, jealousy of France, and love of Church plunder made the English faction more powerful than the national sentiment.[5]

By intrigues so tortuous that they puzzled his fellow-conspirators, Dacre had caused a deadly feud between Home, the Chamberlain of Scotland, and Albany, the Protector. Dacre, employing Home as his spy, now broke up the real or apparent reconciliation between Albany and the Queen. He encouraged Margaret to flee into England, where in October she bore to Angus a child, Margaret, later Countess of Lennox, mother of Darnley, and grandmother of James VI. Albany tried to move Margaret to

return; she, however, demanded custody of her children—a natural desire in a mother, but one which could not be gratified in the case of the sister of the national enemy.

An intrigue very characteristic of the age now occurred. In announcing to Henry the birth of Margaret's daughter by Angus, Dacre mentions a letter from Home, who had been in open resistance to Albany. He had been induced, under a letter of pardon, to visit Albany at Douglas. Here he was imprisoned in a low house, vaulted, the door being made fast with a great chain, and he was threatened with banishment if he passed two nights in England. Home had, in fact, arranged an English raid on Scotland, which failed, for he himself was now carried to Edinburgh and intrusted to Arran as his jailer. He sent for his brothers as hostages, but Arran warned him that Albany would keep them all prisoners (October 1515). They all fled, doubtless by Arran's connivance, crossed the Border, met Angus, and adopted the party of Margaret and the English. Margaret, who had solaced herself in illness by reviewing her elaborate wardrobe, soon left the North and went to her brother's Court, but Angus would not follow her. Her posthumous son by James IV., the baby Duke of Ross, died late in 1515. Arran, according to Lesley, made his own peace with Albany on November 12: he later broke into open rebellion, but was pacified by Albany, in February–March 1516. Angus and Home returned to Scotland, and were restored to their estates (May 1516). Perhaps Margaret never forgave this defection. An attempt of Henry to browbeat Scotland into dismissing Albany was firmly met (July 1516). Albany kept negotiating for leave to visit Henry in England, a thing much desired by Margaret, while Dacre tells Wolsey that he himself has hired 400 Scottish outlaws to burn and harry in their own country. An obscure but important affair now occurred. Angus and Home, as we saw, had left Margaret in England, and had returned to their Scottish estates in the summer of 1516. They were left in peace a while, indeed Albany procured for Home a French pension; but, in September 1516, Home and his brother were seized and in October beheaded. The probability is that Home had been detected in fresh intrigues with Dacre, whose tool and spy he had been. Dacre certainly made no moan for Home; he merely remarks that the cause of that nobleman's execution will be explained by the bearer of his letter of October 26, 1516. The death of Home, of course, implied a

blood-feud of his house against all friends of Albany. His house had been involved in the treason of Sauchie Burn, and he had behaved most enigmatically at Flodden. Then he became an English spy.

The relaxation of the Franco-Scottish alliance was another blow to Albany: he desired leave to visit France, and revive the old alliance, in the end of 1516, but did not depart till June 1517. Within a week of his sailing Margaret had re-entered Scotland, where the two Archbishops, with Huntly, Angus, Argyll, and Arran, were governing.[6] The vengeance of the Homes now fell on de la Bastie, Albany's French knight, who held Dunbar, and had been made Warden of the East Marches during Albany's absence. The Homes drew him out of Dunbar by stratagem, slew him at "Batty's Bog," carried off his head hanging by the love-locks to George Home's saddle-bow, and are alleged to have fixed it on a pole in Dunse.[7] It is said that his long locks remained a treasure of the Homes till they were burned by a lady after 1800. Francis I. demanded reparation for the death of his subject; the Homes were forfeited and declared traitors, one was even hanged, while the rest found asylum in England. They did not long remain landless exiles. In France, where his wife and his great estates and high favour made his residence agreeable, Albany negotiated the treaty of Rouen, a confirmation of the Auld Alliance (August 1517). In case either Power was at war with England, the other was to assist it, France with money and men, Scotland by an invasion. James was to marry a daughter of Francis, in place of the English wedding sometimes held out as a bait by Henry. Albany was not anxious, perhaps, to return to Scotland after his four months' leave had expired. Moreover, a secret clause in a Franco-English treaty bound Francis to prevent his return.[8] Power in Scotland now lay nominally in the hands of certain prelates and nobles, and of Arran with Angus.

It is hardly necessary to say that the Celtic part of the kingdom had been disturbed ever since Flodden. The old quarrel awoke, and Sir Donald of Lochalsh arose as Lord of the Isles, aided by Glengarry, while Maclean and Macleod seized royal castles. Argyll (1514) was charged with the pacification of the country. Mackenzie of Kintail, the hereditary foe of Clan Donald, and Munro of Foulis were also on the side of the Government. MacIan was employed to negotiate. The clans were reconciled, but Lochalsh

had been engaged in whatever practices brought the Homes (as we saw) to the scaffold. Probably English agents had been at work in the Isles as well as on the Border. Lochalsh expelled MacIan from his lands; but his Maclean and Macleod allies deserted him and changed sides, leaguing with Argyll, who demanded the Lieutenantcy of the Isles. Maclean of Dowart asked leave "to destroy the wicked blood of the Isles," the children of Somerled, while Huntly got permission for Argyll to expel Clan Chattan from the Badenoch regions under him as lieutenant. "The wicked blood of the Isles," however, inspired Lochalsh to band with the Macleods of Lewis and Raasay, and with Alexander of Isla: they fought and slew MacIan; but Sir Donald of Lochalsh died soon afterwards, without issue, and with him expired the Lochalsh claims to the lordship. Donald Dubh was still a prisoner, and Argyll succeeded in getting a band of "man-rent" from Glengarry, as did his kinsman, Campbell of Cawdor, from Lochiel. Thus the house of Argyll steadily rose in the west, while Clan Donald dwindled. All this proved, much later, of high importance: had these fortunes been reversed, the Reformation and the Revolution settlement would have been imperilled.

The history of Scotland now became a repetition of the usual party and personal feuds. The strength of Angus, as against Arran, lay in the queen-mother; but with his wife Angus had now quarrelled, it is said by reason of his faithlessness, and she clamoured for a divorce (1519). Henry rebuked his sister's eagerness to leave her lord, and a reconciliation was patched up. Margaret was now turning towards Arran, and desiring the return of Albany. Her grievance, as ever, was pecuniary. The hatreds of Arran and Angus kept breaking out in singular shapes. Arran, for example, had been Provost of Edinburgh. In September 1519 the civic partisans of Angus shut the gates on Arran, there was a skirmish, and Arran's bastard, Sir James Hamilton of Finnart, slew one Gavin, a carpenter, and friend of the Douglas faction. Wedderburn killed the Prior of Coldingham, to make a vacancy for a Douglas in holy orders. When France sent envoys to induce Scotland to make a year's peace with England, late in autumn 1519, Angus and Arran quarrelled on a point of etiquette. Arran, at Stirling, accepted the peace, whereafter Angus waylaid with an armed force and bitterly insulted the ambassadors on the way to Caerlaverock, as Lesley declares. (Cf. Appendix G, "The Tragedy of Finnart.")

There are divergent accounts as to how the parties of Arran and Angus met in Edinburgh (April 30, 1520), and fought in the scuffle called "Cleanse the Causeway." The Archbishop of Glasgow, Beaton, was a kinsman of Arran, and, of course, took his part against the Douglases. He now illustrated the manners of contemporary churchmen, by striking his bosom, when he protested to Gawain Douglas, in the church of the Dominicans, his desire for peace. "My lord, your conscience clatters," replied the translator of Virgil, for the archiepiscopal armour rang beneath his vestments. The meeting took place before an assembly of Parliament, and Angus was backed by 400 spearmen. Arran's bastard brother, Sir Patrick Hamilton, sided with the classical Gawain in advocating peace; but Hamilton of Finnart rebuked him fiercely for cowardice. "I shall fight," cried Sir Patrick, "where thou darest not be seen," and rushing out of church, he charged the spears of Angus and of Home of Wedderburn. He fell by the hand of Angus himself, and a blood-feud was added to the hatred of the rival houses of Douglas and Hamilton. Forth from the church sped the Hamiltons, and rushed on the Border lances that barred the steep causeway. As the Douglas faction gained ground, the Hamiltons fled down the narrow wynds beneath the beetling houses, and Arran, with his bastard son, found the enemy behind, and the waters of the Nor' Loch before them. Seizing a collier's mare, they both leaped on her back, and swam or forded the loch in safety; while the archbishop of the clattering conscience cowered behind the high altar of the church of the Dominicans. His rocquet was torn off, his life was imperilled, but Gawain Douglas saved him. Such, in Scotland, were the amenities of party discussion. For months Angus was supreme, and the heads of his friends, these double-dyed traitors, the Homes, were taken down from their spikes and received burial.

Arran retired to France. What advantages Angus may have gained in "Cleanse the Causeway" were forfeited by Margaret's veering to Arran and Albany. The Duke had visited Rome, and was probably aiding her by intriguing for her divorce. The English Court, whose object was to keep Albany out of Scotland, was foiled by Margaret's wavering and personal caprice. Albany's success meant that of the national cause of Scotland and the French alliance: his return must be prevented by England at all hazards. But, as Henry was now allying himself with the Emperor Charles

V. against France, while France was jealous of Charles's recent imperial honours, Frenchmen had no interest in detaining Albany. His every movement was spied upon, and reported to Henry. Meanwhile Albany played the game of hide-and-seek, in which Prince Charles was later so proficient. "He came and went with more than feline rapidity and noiselessness."[9] On October 2, 1521, he vanished from the French Court. He was next heard of in Scotland, which he probably reached by sailing round the west of Ireland.[10] Margaret triumphantly announced (4th December) the arrival to Dacre, whom she menaced with reprisals for his encouragement of rebels and hostility to her private cause, which was independence of Angus, her now detested husband. The party of Angus, the English party for the moment, heaped charges of tyranny on Albany. He murdered the little Duke of Ross, brother of the king. He played the part of Richard III. He kept the young king in a beggarly condition. What was worse, he had made Beaton of the clattering conscience Archbishop of St Andrews. Such were the outcries (Jan. 31, 1522) of Gawain Douglas, who retired to England, and died of the plague in London. He had described himself to Wolsey as "a desolate and woful wight," and deplored Angus's conduct in making peace with Albany. Henry now denounced Albany to the Estates of Scotland (February 1522). They replied with firmness: they would be loyal to the Duke. Margaret denied that she had ever contemplated a divorce! Albany could not corroborate her here, but swore that he never meant to marry her. To Henry's herald the Estates announced that they were resolved to live or die with Albany. Angus withdrew for two years to France, where he is said to have improved his mind by study.

Both countries now prepared for a war which neither desired. Scotland had enough of wars waged partly in the interest of France: England, on the verge of war with France, needed all her resources. Albany at last advanced to Annan, and threatened Carlisle (September). His army, says Dacre, was one of 80,000 men: England was wholly unprepared. But, by dint of bold words and bolder lies, Dacre absolutely outfaced Albany in conference, sowed disputes among the lords, and secured a month's truce. The splendid audacity of Dacre, who thus saved the north of England, on his own responsibility, by sheer dint of courage, may almost win a pardon for his abominable policy.[11]

The plight of Dacre and of northern England, in face of Albany's advance, had been desperate. "There was neither gun, bow, nor arrow in readiness" at Carlisle. Dacre brought weapons from his own houses; at his own expense he threw in a garrison of 1600 men, appointing his only son to hold the perilous post. Meeting Albany by agreement, he bullied "in a high voice." Huntly, Argyll, and Arran asked only for peace, being averse to a war in French interests. They remembered Flodden. Other lords, in another tent, intrigued with Dacre. Thus he browbeat and wheedled Albany into an armistice, which, as he had no authority to conclude it (though he vowed that he had), England could at pleasure disregard. He had persuaded the Scots lords to make covenants and give hostages for peace. In fact, when Albany had once permitted Dacre to parley, his chance was lost, for Albany knew very well that he could not rely on the nobles of Scotland: no man could, save so long as they were well paid by England.

After Albany's military collapse, his diplomatic efforts to include France in a truce with England were doomed to failure, and he left Scotland on Monday, October 28, vowing to return by August 15, 1523. The Regency left was unpromising, Huntly, Argyll, Arran, and Gonzolles, a Frenchman. The truce with England, wrung by Dacre from Albany, had only been from month to month. Henry, according to Buchanan, offered peace, alliance, and the hand of his daughter, Mary, to the child king. But the Scots suspected the ill faith of Wolsey, and remembered Edward I. They adhered to France. Wolsey therefore sent Surrey, son of the victor of Flodden, with a strong force to the north, and in the summer of 1523 the English wasted the Border. Says Wolsey, "There is left neither house, fortress, village, tree, cattle, corn, or other succour for man." The people fled into England, so starved that they died in eating their first loaf. The English cut off the ears and burned the faces of the survivors. The foreign friends of Albany were driven, by popular resentment, into Dunbar Castle, "doubting to be served as de la Bastie was." So run the letters of Dacre and Wolsey. Surrey made a raid into Scotland about this time (September 1523), which, though of no great political importance, was marked by details very characteristic. Crossing the Border on September 22, he reached Jedburgh on the 24th; Dacre approached the town from the other side, but the Scots had thrown

all the thatch of the houses into the street, and set it on fire, making "a smoke very noisome." Jedburgh was a fair town, with six towers, and the Scots had tried to secure the church by filling the vaults with smouldering peat-fires, to prevent Surrey from blowing the place up with gunpowder. Surrey ingeniously defeated this arrangement, and did what damage he could, but remarked that he must march back next day, for lack of supplies. In fact he did return next day (September 25), not without loss. He had arranged a laager at Jedburgh, a camp surrounded by carts and ditches; but while he himself attacked the Abbey at midnight, Dacre, for his private ends, encamped outside the laager. Next day, Dacre attacked Ferniehirst Castle, where the Scots showed themselves "the boldest men and the hottest that ever I saw in any nation." Dacre at last took and burned Ferniehirst, losing some sixty men, killed or wounded, and, on returning, again lodged outside the laager. Here his horses stampeded, to the number of 1500, and about 800 were burned in the blazing town, or stolen. "I dare not write the wonders that my Lord Dacre and his company do say they saw that night, six times, of sprights and fearful sights. They all say the devil was among them six times." In 1377 the Scots had practised this spiritual mode of causing a panic, and probably they had now taken advantage, in hideous disguises, of Dacre's rashness in lying outside the laager.[12]

Surrey's letter on Jedburgh also contains news of Albany's arrival in Scotland. Margaret had been intriguing with England for what was called "the King's Erection," or proclamation as monarch. She had, in Albany's absence, been of the English party. She sent intelligence to Surrey, and advised him to make a dash on Edinburgh. But Surrey had great difficulty with his commissariat. Again, the Scots would have been over the Border as soon as he advanced; and as most gentlemen of Northumberland cherished robbers among their retainers, the Southern as well as the Scottish march-men would have been plundering. Though not so unpatriotic (for they had no temptations), the English Border gentry were as unruly and predacious as the Scots.[13] Dacre, again, would not obey orders, and, finally, the Scots could fight. So Surrey hearkened not to Margaret.

That amorous lady again fell under Albany's influence. There were renewed tales of a love-intrigue between the handsome Stewart and the voluptuous Tudor. A singular portrait of the

pair, with an unknown Englishman, and some symbolical details, may refer to this amour. Albany's own character was impetuous. Dacre averred that he had known the duke "burn above a dozen bonnets," in anger.

> "The fire shall get both hat and wig,
> As often it gets a' that!"

Albany's angry ways were those of George II. Albany now summoned all Scotland under arms for October 20, and he had also French and German subsidised forces, and field artillery protected by shields. Surrey was alarmed; but Wolsey reminded him that the Scots commissariat must break down, if he acted "like Fabius." Wolsey was right. Ill supported, Albany attempted the taking of Wark Castle by aid of his Frenchmen; the Scots he could not trust. They failed, and though Surrey probably could not have brought up his men to the relief of the place, owing to the weather and want of supplies, the same causes led to the dispersal of the army of Albany. His retreat is said to have been thought dastardly by the gentlemen of Teviotdale, who (according to a spy) tore off their badges, crying, "Would God that we were all sworn English." The Duke's excuse was probably true enough, "I will give no battle, for I have no convenient company to do so." Arran and Lennox, judging by Dacre's letter, were likely to betray him, and probably he knew it. The Duke's French forces were sent home with insult, and he himself retreated to France, never to return (May 20, 1524). His task had been impossible, and his whole career was a type of what the Stuarts too often gained by leaning on France. In a way, he had kept Scotland true rather to herself than to England, and he does not deserve some modern censures.[14]

England, throughout this period, had but one aim as to Scotland, namely, to sever her from France, and to get rid of Albany. Wolsey was kept supplied with Albany's letters to France, and with a key to his cipher. He also got possession, in a singular way, of a covenant purporting to be a bond between Albany and Margaret. Margaret denied its authenticity, while Wolsey, writing to Dacre, accused Albany of interpolating forgeries into *his* letters, and of double dealing with France, and Henry kept warning Margaret that Albany meant to make himself King of Scotland.[15] In these intrigues the actual truth is difficult to discern, but we have reached

the age of spies and forged or uncertain letters. Henry took up the position that, from sheer love of his young nephew, he must make war on a country ruled by his nephew's would-be supplanter, Albany. In one form or other this is the *crux* of Scottish history for many years. Henry is always full of good words and ill deeds. He "dissembles his love" to the proverbial extent. In Scotland he was inevitably supposed to aim at subduing the country. Therefore, though a union with England was obviously the best policy, and though Henry cited three princes who had lost their realms by leaning on France, the hatred caused by English brutalities made it impossible for James to rely frankly on his uncle. His later inclinations to that side were thwarted by clerical counsellors when the English came to be identical with the Protestant party; but his clergy were right when they said that Henry could not be trusted.

Albany had scarcely reached France when Angus secretly returned to England after a two years' residence abroad (June 28, 1524). Arran, as far as he sided with England, was probably moved by jealousy of Albany. Failing Albany, the Hamiltons were heirs of the crown. Wolsey had now privily matured a scheme for what he called the "erection"—that is, the public appearance and recognition of young James—and Angus was expected by England to be useful here. James, a lad of thirteen, had already dirked a gentleman in the arm; he wore a full-sized man's sword, which by practice he could draw with some alacrity; he pined for a real London buckler; and was believed to be prejudiced against France, and fond of his kind uncle, Henry VIII. The intrigues for the "erection" of James (intended to keep out Albany and French influence) are curious. The obstacle being Beaton, Beaton was to be kidnapped and carried off. On July 10, 1524, Dacre was trying to wheedle the Archbishop of St Andrews. He also wrote to Arran announcing Angus's return to England from France—an event which, to Arran, whose brother Angus had slain, could scarcely be grateful news. Margaret was corresponding tartly with Dacre, complaining that he should not prefer her detested husband Angus to "my fathar's barnyz"—"my father's child" (herself). To Henry she wrote protesting against Angus's return: *she* is undermining Albany's interests. *Varium et mutabile semper!* Her true interest was in her money, her "conjunct feoffment," on which she thought Angus likely to "lay a privy paw." Dacre

then announces to Archbishop Beaton that Norfolk will come to the Border to hold a peaceful conference, if possible; if not, for other ends Beaton is bidden to this "diet," and told that Albany's return with French aid is improbable (July 16). Arran informed Dacre that he was ready to treat with Angus, and Dacre had hopeful news that Beaton would consent to James's "erection." Beaton, indeed, had come to Edinburgh to meet the Scottish lords, and would soon send a definite answer (July 18). It was promised that Angus should tarry on the Border till all was settled. Henry explained to Margaret that he had only harried Scotland for Scotland's good, and to preserve his beloved nephew James from the nefarious Albany. By intercepted letters Henry knew that Albany was aiming at the Scottish crown for himself (July 21). Wolsey appealed to Beaton, reminding him that Henry can greatly advance him. In Wolsey Beaton will find "a sure and perfect friend."

Now we can expose the guile of Henry and Wolsey. On July 23 Beaton, who well knew that Wolsey's real desire was to secure his person, wrote to Dacre explaining that the lords do not think it well for him to meet Norfolk in person. They are sending Arran, Scott of Balwearie, and others to the Border for that purpose. Dacre tried to persuade Beaton to come to the Border conference, and (perhaps honestly) asked Wolsey to send him a safe-conduct. Now, on August 1, Wolsey plainly tells Dacre what he thinks Norfolk must know, that his proposed meeting with Beaton on the Border to discuss terms of peace "was never intended on this side for any communication of peace. . . . It was agreed to only for the purpose of intercepting the Chancellor (Beaton) by means of Angus. . . ." As Beaton declined to walk into the snare, the king desires no such conference. So Wolsey sent no safe-conduct for Beaton. Such is the honour and honesty of Henry, which some English historians contrast with the perfidy of James IV.![16] Money was sent to James and Margaret, and a magnificent present of £100 to Arran. Henry was also willing to maintain a guard of 200 men for his young nephew. The Scottish clergy have been greatly blamed, especially by Mr Froude, for constantly keeping James and Henry apart, and so prolonging strife. They had, like other men, their selfish interests—above all, when Henry took to robbing his Church and advised James to do the same. But they were only following that policy by which,

under William the Lion and at the side of Bruce, the Scottish Church, from Lamberton to Kennedy, had steadily maintained, against overwhelming odds, the freedom of their country. To blame them for not being Protestants and welcoming the tyranny, that of a private Pope, which Henry was about to establish in England, is to abandon the spirit and temper of history.

The great affair of the "erection," however, was carried through (July 26). Margaret suddenly rode with her son from Stirling to Edinburgh, with Crawford, Arran of the £100, and others. The nobles, including Beaton, professed their obedience to James, and Albany's chances were extinguished.[17] Dacre (August 4) was still trying to entice Beaton to the Border diet, and Wolsey was flattering Margaret with hopes of a new marriage, on which she had set her heart.[18] The honest Norfolk had never been able to understand that the diet for peace was only a trap and an ambush. The king and Wolsey "are surprised." "The aim was that Angus should intercept the Chancellor," which would pass, of course, as an incident in a Hamilton and Douglas feud. Already (August 9) Beaton was said to be working against the "erection," fearing, doubtless, that Henry, despite his promises, did mean to assert his superiority over Scotland while James was a minor. Wolsey saw that if Angus did cross the Border, in place of working for England he might ally himself with Beaton, for Albany, against Arran, whose brother Angus had slain in "Cleanse the Causeway."[19] Wolsey and Henry still cast about to kidnap Beaton the Chancellor, that stroke being of a sort dear to the English king. The new plan was to bring him to England as an ambassador, and then secure his person. The Scots Parliament renounced Albany (August 20): so much was secured, though Margaret now writes that Beaton and the Bishop of Aberdeen refuse to agree to desert him (August 31). The bishops were therefore imprisoned; but Margaret's letters show her to have a foot in both camps. Henry hoped that Lord Maxwell would seize the bishops and hand them over in Berwick: he had Arran and many other lords in his pay, but the unmanageable factor was Margaret. She had lost her elderly but always tender heart to young Henry Stewart, second son of Lord Evandale, who was made captain of her guards subsidised by Henry. We have seen that Wolsey flattered this affection.

Margaret and Arran were again intriguing with France. England,

therefore, at last permitted Angus to return to Scotland on condition of adherence to English interests. Dr Magnus and Radcliffe had been sent to Scotland, but England declined to regard them as "ambassadors." Beaton was presently released, which indicated a tendency on Arran's part to the party of Albany and France. The English envoys found parties fluctuating like blown sand. Many Scottish nobles were in receipt of English bribes. Arran and Lennox were pensioners, so was the Master of Kilmaurs, later Earl of Glencairn. He was to become a patron of the martyred Wishart, and to offer a venal dagger to Henry in one of the plots for assassinating Cardinal Beaton. Margaret, who had served Henry by securing the "erection," was now cast into the arms of the French faction by the mere circumstance of her husband's return. Yet she wavered from day to day. Angus and Scott of Buccleuch, now first prominent, entered Edinburgh one November morning, before the dawn, by force to coerce the Estates then assembled, or to seize the king; the castle fired on the town, and Margaret, with the king, took refuge by torchlight in the castle. The result of this obscure affair was an alliance between Angus and Beaton.

The behaviour of the Archbishop had been mysterious. His nephew, David, later Cardinal Beaton, had come over from an embassy to France, just before Yule (1524), with French companions, and, in place of going to Court, had kept Christmas in St Andrews Castle. Gonzolles, a distinguished partisan of France and Albany, was received by the king. Margaret, however, announced that the commonalty was more attached to England. Magnus believed that Margaret was still intriguing with Albany. A Royal proclamation was issued in January 1525 for the arrest of Beaton for "keeping up private councils and trysts in St Andrews with Angus, Lennox, Walter Scott of Branxholme, and other broken men." We see the House of Buccleuch coming now to the front. The reply to the proclamation was another by the lords at St Andrews (January 25, 1524-25) ordering a convention at Stirling for February 6, to release the king from private persons, who kept him in unwholesome places. This was a move of Beaton, Angus, Argyll, Lennox, and others, who declared that the queen made it unsafe for them to enter Edinburgh. The lords met at Stirling, and later entered Edinburgh in armed force. A Parliament was held, and the queen "wavered" with her usual caprice. The king was to be removed to Holyrood from Edinburgh Castle, his person was intrusted to a council of

eight peers, presided over by the queen, but there was no renewal of Margaret's matrimonial relations with Angus; indeed Margaret was known to be moving at Rome for a divorce, and trafficking with Albany. The news of the defeat of Francis I. at Pavia (March 31) now caused grief in Scotland, and Henry VIII. wrote to Margaret in such a style that she wept for an hour: "another such letter would be her death." Henry's treaty with France, after a quarrel with the Emperor, discomfited the French party in Scotland, which was to suffer much more from the importation of Lutheran books, prohibited in the Parliament of July 1525. "It is statute and ordained that forasmuch as the damnable opinions of heresy are spread in divers countries by the heretic, Luther, and his disciples, . . . no stranger who arrives with ships bring with him any book or work of the said Luther or his disciples, or dispute or rehearse his heresies or opinions, save it be to the confusion thereof."[20] The very day of the agreement with the peers, Margaret wrote to Albany, acknowledging him as Regent, and praying him to speed her divorce. To Margaret politics now meant loathing of Angus. Her letter was intercepted. Her plea was that she was never married to Angus at all, her husband, James IV., having survived Flodden, and being alive at the time of her wedding! But the greater lords of Scotland, such as Angus, were now pensioners of England, and in the Parliament of July 1525 had agreed to a three years' peace. Magnus, however, was cursed by women in the streets for blighting the crops with his evil eye, a theory of meteorological causation still entertained in the Highlands.

The Three Years' Truce with England was getting itself signed in January 1526 when Home and the Kers of Cessford and Fernihirst, who were at feud with Angus, rode to meet Arran at Linlithgow; but Angus, accompanied by the king, put them down, and the treaty was ratified in March 1526. The Borderers, the chief sufferers by wars, were also the chief opponents of the treaty. The departure of Magnus of the evil eye made for the cause of tranquillity. Margaret, to anticipate, got her divorce (1527) and married Henry Stewart (Lord Methven), whereby she lost influence and repute, though really it was better for her to marry than burn Nor was the country yet free from the perplexing influences of this "daughter of debate, who discord still doth sow." The next three years were critical in the history of James and of Scotland. He was in the hands of Angus—that is, practically, of England. No

arrangement would have been better for the country could it have led to permanent amity between James and Henry VIII. But the consequences were of the opposite kind, and irretrievable in their results. Magnus had already reported in the boy king a tendency to "cruelty." He would "gloom" on such lords as his mother disliked. Of them all she most passionately hated Angus, both because she loved others, and on grounds of quarrel touching her dearest interests, those of money. This hatred James was certain to inherit, especially as he was not likely to love any noble who should have perpetual authority over his youth. That authority Angus cleverly usurped (June 1526). While it endured James was recalcitrant, when it was overthrown James became implacable to the whole Douglas name. Their power was, indeed, too great to coexist with that of Royal authority, and was exercised in their own interests, with cynical selfishness. "None durst strive with a Douglas, nor yet with a Douglas's man." But to shake off and break down the Douglases, a thing desirable in itself, was to turn away from England, the patron of the Douglases, to turn away from Protestantism, to court France, and to choose the doomed cause of Catholicism in the north. These dull and squalid intrigues of a selfish, sensual termagant, Margaret, and her unscrupulously ambitious husband Angus, determined the fate of the Stuart line. They were to lean on France, and were to lose three crowns for a mass. Exile, the executioner's axe, and broken hearts were to be their reward in a secular series of sorrows flowing from the long minority and unhappy environment of James V.

Angus obtained the control of the Royal person in the following way. James's legal majority was proclaimed when he was fourteen years of age (June 14, 1526). All delegated authority from him was thus annulled; but the Act of Parliament intrusting the boy to certain peers in rotation for periods of three months remained in force. Angus arranged that the proclamation should coincide with his own term of trust. A new Privy Council was appointed, but Angus practically was master. He dismissed Beaton, and made himself Chancellor. From the very first James detested the Douglas *régime*. A fortnight after Angus took office the king entered into a "band" with Lennox, vowing to prefer his advice to that of any other man (June 26, 1526).[21] In July he accompanied Angus in an expedition for the punishment of the Armstrongs and other Border freebooters. On their return, near Melrose, they were bid-

den to stand by Sir Walter Scott of Branxholme, who barred the Melrose Bridge with 1000 men. Angus had but 300, and Scott would have carried off the king, with his good-will, but the Kers and Homes came up to Angus's rescue, and defeated the Scotts. Two places, "Cock-a-pistol" and "Turn Again," on the estate of Abbotsford, retain names given on this occasion. At Turn Again,

> "Gallant Cessford's life-blood dear
> Reeked on dark Elliot's Border spear."

Lennox, charged with complicity in the plot to free James, retired from Court, but continued to conspire with Margaret and Beaton. James himself wrote to Henry, complaining of his lack of freedom, and asking support for Beaton and his mother. Attempt after attempt to escape was made by James, and a pitched battle was fought near Linlithgow, in which Arran and Angus routed Lennox's party. James, in the interests of Lennox and of his own freedom, had tried to delay Angus's march. Sir George Douglas told the king that he would see him torn to pieces rather than lose him. This insolence, even more than the treason of the Douglases, was resented by the king. Buchanan is the authority here (fol. 161). In the battle Lennox was murdered in cold blood by Hamilton of Finnart. Over Lennox Arran is reported to have wept as for the worthiest man in Scotland. The cynic may smile as he remembers that, in October 1524, Lennox, with the Master of Kilmaurs, had plotted "to slay the Earl of Arran in his lodging within Holyrood House." But "the unhappy Jamys Pringle" had repented and revealed the plot of Lennox, to the unfeigned regret of Norfolk, Dacre, Magnus, and, perhaps, Mr Froude.[22]

The young king did not conceal his sympathy with the defeated foes of Angus. It is probable enough that he would have revolted against any Governor who at once controlled his freedom and kept him apart from his mother. That the Governor should be his stepfather, the partisan of England, and a noble of a family always in rivalry with the Crown, completed the net of untoward circumstances. Angus was probably guided by a cleverer and even more unscrupulous man, his brother, Sir George Douglas. The party of the queen was broken up, and Archbishop Beaton, the richest man in Scotland, is said to have skulked in the disguise of a shepherd on the hills.[23] Henry congratulated Angus through Sir Thomas More; but the slaying of his dear Lennox, in cold blood, had

intensified James's hatred of the Douglases. The Archbishop soon won his pardon, and was as ready for intrigue as ever. The queen-mother was now treated with a courtesy which implied contempt for her broken power, and a desire to flatter Henry. Angus occupied himself in such pacification of the Border as could be achieved by hanging Armstrongs. The peace with England was perpetually menaced by the Marchmen, and Angus's severity was justifiable. In the North, Clan Chattan broke out into internal feuds, which extended to attacks on Murray and the Ogilvies. The captain of the clan, a bastard, escaped the vengeance of Murray, and obtained his pardon, but was dirked by a monk at St Andrews, who probably had taken up the Ogilvy feud. Meanwhile Beaton, whether he had ever skulked as a shepherd on the hills or not, had returned to his other pastoral duties. Margaret had procured his return to Court, and he kept "a right solemn and honourable Christmas" in his castle of St Andrews. Magnus tells Wolsey that Angus is said to have received a good bribe, but that his acquiescence will probably turn to his own destruction. "He is gentle and hardy, but wants wit;" had just wit enough to kidnap Beaton, if he got the chance. Sir George Douglas had resisted the reconciliation of Angus and Beaton. It was a strange Christmas party. At this time Arran, distressed by the death of his nephew Lennox, had left the Court. His absence may account for the burning at St Andrews, in the February of 1528, of Patrick Hamilton, Abbot of Ferne, and a married man. He was connected, by blood, with the King, Albany, and Arran. His doctrines and conduct will be examined later, but his death may obscurely indicate a revival of the Douglas-Hamilton feud.[24] On the other hand, if the cruel Sir James Hamilton of Finnart was concerned in Patrick's arrest, this is unlikely.

James had already remonstrated with Henry against the "thraldom and captivity" in which he was kept by Henry's paid agent, Angus. From that agent James now freed himself (June 1528).

The course of affairs, as reported by James after the event, was this: At Easter 1528 he had called Angus before himself and five or six of his Privy Council, urging the Earl to reform his abuses. These, apart from his tyranny over the king, were allowing thieves to go unpunished on the Borders, and so endangering peace (a point formally admitted to be true by Magnus), ill-treating foreign

ambassadors (the French envoy for example), and promoting his kinsmen to offices where they were enriched at James's expense. Angus, in token of amendment, promised, says James, a raid on the Border thieves for June, and this expedition had been announced by the king himself to Henry. But the forces summoned, nominally for this laudable purpose, were, so James says he discovered, intended to kill several of his own servants, and it is clear, from other sources, that the king really feared a plot to kidnap him, and put him in the hands of Henry. Now, whether Angus did cherish these designs, or whether they were suggested to James by his friends, and his own fancy, remains uncertain. But James certainly announced to Henry that the June expedition against the Border thieves was postponed, "as the Estates of the Realm are in part dissatisfied with the administration of Angus." On May 27 James was with Angus in Edinburgh. On May 30 he was in his mother's castle of Stirling, and, in his grandson's words, "was a free king." He had discovered, or invented, or been induced to believe in, the Douglas plot against him, and had fled from Edinburgh. That he did not escape, as in Pitscottie's delightful page of romance, from *Falkland*, is proved, not only by the facts already recorded, but by an undated note of his mother's. In this she says that the king rode privily from Edinburgh (not Falkland) with five or six in his company: probably the five or six of his Council. There is printed also, in Pitcairn's 'Criminal Trials,' a charge made against Lady Glamis, Angus's sister, on December 1, 1528.[25] She was accused, with some partisans of the Douglases, of "convocating the lieges for eight days immediately preceding June 1 for invasion of the king's person." This, so far, corroborates the fact that James, in May, suspected Angus of hostile intentions. James, as we saw, had announced to Henry an armed raid against the Border thieves for that very month of June. It was natural, therefore, that the Douglas retainers should be convocated for that purpose. But James either suspected, or pretended to suspect, that the preparations were being arranged, not for an assault on the Armstrongs, but for some treasonable attempt against himself. He therefore made his escape to Stirling, where he joined himself to Arran, Beaton (so truly had George Douglas foreseen Beaton's designs), Argyll, Maxwell, and his mother.[26]

As to what followed James's flight from Douglas, in Edinburgh,

to his mother in Stirling, we have his own account. Writing to Henry from Edinburgh (whither he and his adherents had marched from Stirling) on July 13, he rehearses his grievances against Angus. He has commanded his stepfather to withdraw "into inward parts of the realm" beyond Spey, while Douglas's brother, George, and uncle are to "enter in ward." They have disobeyed him, have fortified their castles, and are daily burning and robbing. Parliament was summoned for September 2. The king's side was strong in nobles such as Arran, Argyll, Eglintoun, Moray, Rothes, Bothwell, Seton, Maxwell, and Home. James was triumphant, but from his escape to Stirling, and first hour of life as a free king, date misfortunes that did not end till the head of his daughter fell at Fotheringay. He was firmly and justly resolved never to suffer the Douglases to sway Scotland again. Henry became as determined that they should manage the country, or his interest in the country. Hence arose an irreconcilable enmity, which involved the countries as well as the kings. James has been severely criticised by English historians, but we should remember his circumstances and education. He had been bred amidst tumult and perfidy. His mother had trained him up to hate his stepfather. He knew how hardly the Douglas yoke, which ever meant the dominance of England, had been shaken off by his great grandfather, James II. Now, Henry wished that yoke to be on his own neck. Moreover, though a free king, he was now in the worst hands, those of Margaret Tudor and her reckless young lord, of Maxwell and Buccleuch, "chief maintainers of all misguided men on the Borders," of the Sheriff of Ayr, Sir Hugh Campbell of Loudon, the murderer of the Earl of Cassilis, "with such like other murderers."[27] Between friends and foes James was ill bestead, and if he came later to lean on his clergy, we need not severely blame him. From such an education, and such an environment, good fortune could not come, while Henry was speaking smooth things, corrupting James's subjects, and menacing his frontier.

Angus disobeyed the summons to meet the Scottish Parliament on September 2, and sent in a protest. He was no man of law, he could not get an advocate, it was holiday time, and he objected to an autumn session. As to the charges against him, he had certainly disobeyed an order to exile himself north of the Spey, and to place his uncle and brother as hostages for him in Edinburgh

Castle. To do so would be to imperil their lives. He had not convocated the lieges (May 23–June 1) against, but in the service of, the king. He had provisioned and fortified Tantallon and other castles, but not to the king's prejudice. He would appear in person, if hostages were given. A committee of Parliament pronounced forfeiture on Angus in land, life, and goods. Angus was now in the posture of Bruce's disinherited lords, and as dangerous as they. James bade the lords who expected shares of the Douglas estates to drive Angus out of the realm. Angus shut himself in Coldingham and later in Tantallon, while Henry winked at his recruiting forces amongst the English Borderers. Angus burned villages "to give the king light," and, in a series of vague expeditions, James gained only repulse and insult. Tantallon baffled a large army with heavy artillery, which Angus captured. His attitude was that of reluctant resistance, and attempts were made to negotiate. As the time approached for renewing the truce with England, and the Diet was to meet, Henry passed over his request for the restitution of Angus; "it will be better that he remain in Scotland, *doing all the harm he can*," than come to England.[28] If the restitution of Angus was refused, the English were to temporise. It appears that Angus was accused of intending to kidnap James, and hand him over to Henry.[29] A dole of £100 was made by Henry to "the lion in his den, the Douglas in his hall." The Scots Commissioners declined to discuss his restitution, and wondered that Henry should befriend a rebel. Magnus retorted that all the king's present advisers were murderers, which was true enough, but hardly to the point. They were Sir James Hamilton, who cut Lennox's throat; the Sheriff of Ayr, who disposed of Cassilis; Buccleuch, who took off Dan Car, or Ker; and Lord Maxwell, who, with Harry Stewart, had succeeded in getting Angus attainted. Magnus thought that Angus would prove an expensive *protégé* to Henry, and was in favour of peace.

The Scots Commissioners had said that James would look for friends, and Northumberland reported an alliance with the Emperor, Henry's deadly foe, and there was even talk of an imperial bride for James. Finally the truce was renewed without Angus's restitution. Henry could ill afford war with Scotland for Angus's *beaux yeux*, for Henry was in a league with France, and the Pope against the Emperor. Nor could James, France being allied with Henry, decline to make peace. In the circum-

stances it seemed impolitic to press James too hard. Magnus worked on him at personal interviews, and through friars, to no effect. The king replied by a document, already cited, containing his account of Angus's misdeeds, and of the *coup d'état*.[30] He added that he had offered to Angus good terms, which had been declined.[31] Thus Henry found it wiser not to wreck the peace over Angus, but to aid and abet him in "doing all the mischief he could." Such was the five years' peace concluded in December 1528. In his patriotic task Angus persevered till the summer of 1529, when he became the pensioned guest of England, residing with the Earl of Northumberland. No conduct can be more unfriendly than that of a king and uncle who, like Henry, shelters on his frontier and subsidises the rebels of his nephew.

It is said (but by a late and Protestant historian) that the dying Arran (1530) implored James to pardon the Douglas; that Angus, on his part, surrendered Tantallon; but "hard and difficult it was to satisfy our king," and "the conditiouns on the king's part were not fulfilled."[32] Thanks in great part to Angus himself, James's relations with many of his nobles were now hostile. He had no greater interest than the peace of the Border: if this were infringed, war might break out with England. But even when in power Angus had not maintained the Border peace; in exile he "did all the harm he could," aided by the English march-men. Henry, in fact, kept up a perpetual *casus belli*. In 1529, James made an effort to pacify the Border. It failed, and he, in 1530, suspected the great Border lords of fomenting strife. James, therefore, arrested the chiefs—Bothwell, Ferniehirst, Maxwell, Home, Buccleuch, Polwarth, Johnston, and others—and then entered the Border with a large force (June 1530). Cockburn of Henderland and Scott of Tushielaw were captured. Cockburn's fame survives in the ballad of "The Border Widow," but tradition erroneously represents him as having been hanged at his own gate. He was, in fact, beheaded, after fair trial, in Edinburgh.[33] His crime was treason in bringing in the Forsters, English Borderers; he was also guilty of theft. Cockburn, in short, was engaged in Angus's and Henry's Anglo-Scottish conspiracy to maintain unrest on the Marches. Tushielaw was beheaded for blackmailing poor tenants. It is not, therefore, easy to sympathise with these now popular offenders. James is blamed for severity, for "alienating his subjects." He was discharging a double duty: first protect-

ing the poor, next frustrating Angus's and Henry's efforts to keep open a *casus belli*. A large number of lairds submitted to James, and found surety to answer for their crimes. Among them were, of course, Douglases, as of Cavers, Ker of Graden (a descendant was aide-de-camp to Prince Charles), Rutherfords, Turnbulls, Scott of Headshaw, Edgar (of the family so loyal in 1740-60 to the exiled kings), with Sir Walter Scott's ancestors, Swintouns and Haliburtons, Stewart of Traquair, Veitch of Dawick, and the tutor of Philiphaugh, Turnbull. These names show how widespread was the faction which served the purposes of England.

The most famous sufferer was Armstrong of Gilnockie. Mr Burton justly remarks that the Armstrongs of the Debatable Land were not "in due obeisance" to Scotland, and their excesses fill the State Papers with grievances. Gilnockie came before James as one king before another, with more than forty *hobereaux* of his kin. They were all hanged, at Carlenrig on the Upper Teviot, and a kind of tablet erected on the scene (1897) accuses James of treachery. Pitcairn makes this charge, but his authorities are far from being contemporary.[34] Pitcairn says "he [Gilnockie] was most basely betrayed," while even his own authority only remarks that Gilnockie, "enticed by the king's servants, forgot to seik a letter of protectioun." Calderwood vaguely remarks that he "was enticed by some courtiers." He adds that one of the sufferers had burned a woman and her children in her house! Such is the evidence for the king's treachery — evidence late, erroneous in detail, and Protestant, therefore hostile. By the confession of Gilnockie's admirers in prose and verse, he robbed England as far south as Newcastle. Burners of children and their abetters and maintainers are "nane the waur o' a hanging," while the details as to James's treachery rest on the evidence which we have criticised. Possibly the ballad, with its natural but unhistorical sentiment, was the source of all the historians.

These Border affairs played into Angus's hands by estranging some nobles, and he was equally well served by troubles among the Celts. The revolution caused by Angus's fall re-echoed in the Highlands. The Macdonalds of Isla and the Macleans resented some proceedings of Argyll, and ravaged Roseneath, while the Campbells retorted on Mull, Morvern, and Tiree (1529). Argyll also demanded from the Council powers to raise Dumbar-

tonshire, Renfrewshire, Carrick, and Kyle against the Islanders. The Council demurred, but sent to negotiate with Alexander of Isla, chief of the foes of the Campbells. This indicated doubts as to the desirableness of trusting Argyll. Though these seem to have been removed, and great powers were intrusted to the earl, his death, in 1530, left matters unsettled. James himself determined to visit the Highlands, as he had visited the Borders, in force. Isla, more wary than Gilnockie, obtained a safe-conduct, met the king at Stirling, and, with Dowart and others, was received under conditions. The new Earl of Argyll, and Moray, the king's natural brother, suppressed the troubles, the chiefs voluntarily submitting to the king. Argyll was disappointed, it is said, and set about irritating the chiefs, that he might use his power. He also brought charges against Isla (1531), who came to answer accusations which Argyll did not come to urge. Isla now disculpated himself, and practically offered to do all for peace and order and the general interests of the realm that it was the office of Argyll to do, while he threw on the Campbells the odium of causing the late risings. Argyll was now summoned to give an account of his stewardship, and James was so dissatisfied that he imprisoned (1531) the son of Diarmid, and when Argyll was released his offices were given to Isla.[35]

Moray also fell under the royal displeasure. Among the causes of all this conflict between the Campbells on one hand, and the Macdonalds and Macleans on the other, had been, tradition avers, the ill-treatment of Argyll's sister by her husband, Maclean of Dowart. He exposed his wife on a rock, the Lady Rock, near Lismore, whence she was rescued by a passing vessel. Campbell of Cawdor, therefore, the brother of Argyll, stabbed Dowart in his bed in Edinburgh (1523); and the feud was one of the causes for which Donald Dubh, Lord of the Isles, in 1545, sought a separate alliance with Henry VIII., saying: "We have been auld enemies to the realm of Scotland."[36] Meanwhile, as we see, James had alienated many of his lawless lords, and was also so unlucky as to have to rely on a Macdonald, not a Campbell, in the West. Without rashly taking a part in the secular feud of these clans, we may observe that the Campbells usually combined their own interests with those of the central power, whereas the Macdonalds usually were, and remained, "against the Government," "auld enemies to the realm of Scotland." Indeed, every

noble who was aggrieved by being punished for his crimes was an enemy to his country. James is blamed for "alienating" them. So he did, to his ruin; but a king must govern. An instance of alienation now occurred. In December 1531, the Earl of Northumberland met Lord Bothwell (alienated by imprisonment), with a Hepburn, an Elliot, and a Rutherford, all Borderers. Bothwell told Northumberland that he was ready to serve England with 7000 men. By aid of Crawford, Argyll, Maxwell, and Moray (James's natural brother)—or rather, thanks to the alienation caused by their treatment — Bothwell hoped that he and Angus would soon be able to crown Henry in Edinburgh.[37] James, however, reconciled himself with Moray, and a force of 7000 Highlanders was permitted to aid the Irish rebels, a repartee to Henry's encouragement of Border warfare. The desolation of the southern counties went on till, in May 1534, a treaty of peace between the two countries was arranged, to last till the death of one of the monarchs and a year longer. James carried his main point, Angus was not to be restored.

NOTES TO CHAPTER XIV.

[1] Act. Parl., ii. 282; Brewer's Letters and Papers of Henry VIII., i. 4951.

[2] Dacre to the Council, November 27, 1514, Letters and Papers, i. 5641.

[3] Compare Buchanan, foll. 154, 155; Lesley, ii. 162, 163.

[4] Letters and Papers, Henry VIII., ii. 795. August 10, 1515.

[5] See Dacre's Letter to Lords of Council, Letters and Papers, ii. 779.

[6] Pitscottie has a tale of Albany's kidnapping Angus and imprisoning him in France. Mr Burton follows Pitscottie in this egregious myth: "Angus was seized and spirited off to France. The queen, his wife, managed to escape to England."—Hill Burton, iii. 89. This comes of leaning on the prejudiced gossip of Pitscottie.

[7] Dr Brewer thinks that Margaret conceived this murder to have been perpetrated in her interests. Preface Letters and Papers, ii. cxci., reign of Henry VIII., i. 224. Arran, who was entrusted with the punishment of the Homes, imprisoned Angus and George Douglas, his brother; the Douglases, later, took down the impaled heads of the Homes. Probably they were concerned in the crime. Lesley, ii. 170, 171.

[8] Letters and Papers, ii. No. 4471.

[9] L. and P., iii. i. cccv.

[10] L. and P., iii. i. cccvi.

[11] See his letter in Brewer, i. 534. Compare Lesley, ii. 184-190.

[12] A similar panic, in the Napoleonic wars, drove a French regiment out of a Neapolitan convent; they were all scared by the phantasm of a black dog!

[13] L. and P., iii. 3240.

[14] Lesley, ii. 195, avers that Surrey declined Albany's challenge, and that Albany "wan gret honour." George Buchanan caught a bad cold on this chilly expedition.

[15] Henry to Margaret, July 21, 1524. He says this on the authority of intercepted letters. L. and P., iv. i. 525.

[16] Letters and Papers, iv. i. 549.

[17] July 30, 1524. Letters and Papers, iv. i. 540.

[18] Letters and Papers, iv. i. 556, 571.

[19] Wolsey, August 15. Letters and Papers, iv. i. 576.

[20] Act. Parl., ii. 295.

[21] Book of Lennox, ii. 226.

[22] State Papers, iv. 188; iv. i. 762 (Brewer); Froude, iv. 22.

[23] The picturesque Pitscottie.

[24] Herkless, 'Cardinal Beaton,' 110. Feb. 29, 1527-28.

[25] Pitcairn's Criminal Trials, i. 188*.

[26] This revolution, as it is narrated by Mr Tytler and Mr Burton, follows the lines of Pitscottie, including the romantic flight from Falkland. One of James's accounts of the affair is in 'Letters and Papers,' iv. ii. 4411 and 4505. 'State Papers,' Henry VIII., iv. 498 and 499. James was with Douglas in Edinburgh on May 27, and was at Stirling three days later. Can he have passed a day at Falkland in the interval? 'Book of Douglas,' ii. 235. See also 'Exchequer Rolls,' xv. liv.

[27] Dacre to Wolsey, State Papers, iv. iv. 502, 503.

[28] Mr Froude, of course, says not a word about this policy, nor about Henry's sedulous employment of Angus as a firebrand. "Angus retired a second time into exile," says Mr Froude. That is all. Mr Froude's History, at this point, as regards the conduct of Henry to James, "formed by nature to choose the wrong side," is not impartial. Henry appears as a wise, kind, long-suffering uncle and prince. The facts of the case, or a few of them, may be gathered from our narrative.

[29] L. and P., iv. 2, 4892.

[30] L. and P., iv. 2, 4987.

[31] These seem connected with certain negotiations by Friar Andrew Cairns—see documents in Pinkerton, 'Hist. of Scotland,' ii. 483. They are clearly of December, not, as Pinkerton thought probable, of September, 1528. Magnus thought that Sir George Douglas, and the wife of Archibald Douglas, Angus's uncle, had caused all the trouble.

[32] Calderwood, i. 100; Book of Douglas, ii. 253.

[33] Pitcairn, i. i. 145. May 16, 1530.

[34] Anderson (MS.), Calderwood, and that father of fables, Pitscottie.

[35] Gregory, pp. 133-142.

[36] Mr Hume Brown (p. 378), after giving the story of the Lady's Rock, and the murder of Maclean, in revenge, by Campbell of Cawdor, says, "To avenge their chief, the Macleans at once took up arms, and it was at this juncture that James became master of his own person, and king in reality." James did this in 1528, but Maclean was murdered by Cawdor, and twenty-four other Celts, *tempore proclamacionis exercitus nostri apud Werk*—that is, October-November 1523. See the Remission for the murder, granted to Calder on December 15, 1524 ('The Thanes of Cawdor,' p. 147, Spalding Club). The Pollok MS. dates the murder "the tent day of November 1523." Mr Cosmo Innes doubts the legend of the Lady's Rock (*op. cit.*, p. 147). Whether the Campbell lady exposed on the rock

was aunt or sister of Colin, third Earl of Argyll, I cannot say. Cawdor was brother of Colin, and, according to Mr Hume Brown, of the lady in question, who can hardly have been aunt to one brother (Colin) and sister to another brother (John).

[37] L. and P., v. 609.

The Distribution of Benefices after Flodden.

I find that in the account of the triangular, or rather quadrangular, duel for St Andrews, I have overlooked, in part, the letters published by Mr Lorimer in his excellent work 'Patrick Hamilton' (1857). Mr Lorimer pointed out the inconsistency of Henry VIII. as to the see of St Andrews. The facts may be arranged thus :—

Henry's intentions after Flodden.—Henry writes from Tournay, October 12, 1513. He maintains that till 1472 the Bishops of St Andrews were suffragans of York, and that Archbishop Stewart was only the second archbishop—an astonishing error. He requests the Pope (as stated in the text) to reduce St Andrews to a bishopric, and to redress the wrong done to the English Church. This was a revival of the old claim, resisted by the Scottish Church under William the Lion, and always. He also asks that Coldingham shall be restored to Durham, and that the Pope will wait for his decision before filling up the vacant benefices. He regrets the death at Flodden of prelates "absque ullo conspicuo sacerdotali habitu occisi," and asks leave to bury the body of James IV. in St Paul's. By January 28, 1514, Henry was writing from Greenwich to the Pope, begging that Gawain Douglas, and not Forman, Bishop of Moray, might be raised to the archbishopric of St Andrews, which he no longer wishes to degrade to a bishopric.

On May 8, 1514, Henry wants to revenge, in arms, a reported insult to papal envoys, whom the Scottish bishops have prohibited from entering the country, except under unworthy conditions. Lesley, on the other hand (ii. 150), says that the papal envoys "ar sent with hallowit sword and bonet to the king," and are "trett honorablie."

Gawain Douglas.—Whereas Lesley (*supra*, p. 392) makes Home take Forman's part, and Buchanan makes Home publish the bull in favour of Forman, which Lesley dates November 23, 1514, Gawain Douglas himself says nothing of Home. He avers (letter to Adam Williamson, January 18, 1515) that Albany's "clerk master," John Sawquhy, "has landed at Leith in a French ship, and published the bulls" in favour of Forman, on January 16, 1515. It is also clear from Gawain's letter to Williamson, of January 21, 1515 ("1815" in Lorimer), that the Archbishop of Glasgow, James Beaton, was aiming at being translated to St Andrews. Gawain is most anxious (a true Douglas) that Henry should invade Scotland, "and be the soverain." Henry is to be informed of this desire (Gawain Douglas to Dacre, January 21, 1515), and Gawain now covets the bishopric of Dunkeld. It is plain that Gawain richly deserved, for these treasons, his later imprisonment in the sea-tower of St Andrews. It is also manifest, if he speaks truth, that Henry would have found a considerable party in Scotland to back him, even before he commenced Reformer. Henry's letters to the Pope are published by Theiner; Gawain's are in Lorimer's Appendix.

CHAPTER XV.

JAMES V.—BEGINNINGS OF THE REFORMATION.

On the conclusion of peace, the two chief questions before Scotland were the king's marriage and the dawn of Lutheran and other new ideas in religion. As to the former question, which must have seemed the more pressing, James was now twenty-three, and, in the matter of amours, was even as other kings and other Stuarts. It was desirable that he should marry, and everything turned on his choice of a bride. Was he to wed a daughter of France, or Mary (commonly called The Bloody) his cousin, the child of Henry VIII.? To this question we shall return after sketching the dawn of the Reformation in Scotland.

This is not a topic on which it is easy to be impartial. Protestant historians have seldom handled it with impartiality, and their suppressions, glosses, and want of historical balance naturally turn into opposition the judgment of a modern reader. In nothing has the character of the Lowland Scot, since 1560, differed from the character of his southern kinsmen of England so much as on the point of religion. The English Reformation began in the action of the Crown, and was carried through by the Crown, the new *noblesse*, the Bishops of Henry VIII., and the more wealthy and prosperous of the middle classes. What new doctrines were adopted came from Lutheranism, rather than from any other foreign source, but were chiefly the result of English compromise. A Church was developed which worshipped in the ancient fanes, under the ancient Order of Bishops, in the translated words of the ancient service-books, or in others not less beautiful. The assistance of the arts was not always rejected: common prayer was deemed more important than political and doctrinal harangues from the pulpit. Monasticism perished; purgatory, prayer to saints, pilgrimages,

ceased to be recognised. There was a Revolution, but a Revolution which left many old things standing, and did not at once destroy all the pleasant popular holidays and practices which the ancient faith had consecrated to Christian use.

In Scotland the Reformation began, not in the Crown, and not immediately from personal and political causes, but from rational criticism, developed in the ranks of the gentry, the junior branches of the great families, the Augustinian and Dominican Orders, some of the secular clergy, and the wealthier burgesses. The king could not, as in England, direct and instigate the movement, for, had he done so, he must have broken with Rome and with France, on which he leaned for support against his loving uncle, Henry VIII. He saw Henry first quarrelling with Rome in the interests of his private love-affairs; then proclaiming the Royal supremacy over the Church; then executing the best and bravest of his subjects, More and Fisher (1535); then robbing the monasteries; then authorising (as a weapon against Rome) the translation of the Bible; destroying relics, and melting the golden reliquaries; burning men who read his translated Bible in their own sense; and, finally, roasting for one sort of heterodoxy, hanging for another, and keeping the executioner at work on his Ministers and his wives. The Protestant programme, as evolved and carried out by Henry VIII., was not a programme which James could have adopted. No Scottish king was ever allowed to bloat into such a monster of tyranny as Henry VIII. At the same time, and very naturally, Henry's conduct drove the governing clergy of Scotland into closer alliance with France. They had been the constant allies of France, they had helped to save, again and again, the national independence, now threatened by Henry and his tool, Angus.

They stood by the Cause. It is hardly fair to blame them for this, and hardly historical to regard them as infamously cruel because they carried out the law of the land and the coronation oath by burning theological innovators, just as Henry VIII. was doing in England; just as Presbyterian ministers, on the strength of texts, were presently to burn old women, and (later) hang a premature Biblical critic. As James on the whole, though half-heartedly, having alienated his nobles, had to give his clergy their way, Reformation could not come from the Crown. Partly by dint of political circumstances and jealousy of France, partly by aid of reforming sympathies, the Scots leaned at last towards England, and so a

band of nobles, gentry, educated burgesses, and "rascal multitude," as Knox says, were to overthrow a Church long weakened by wealth, ignorance, and vice. To anticipate by thirty years, the very greed of the nobles, by starving the new Establishment, made it democratic in tendency, while the adoption by Scotland of the republican theocracy of Geneva made the Kirk democratic in constitution. Ecclesiastical art, with its appeal to the emotions, was swept away. Preaching, doctrinal and political, tended to usurp in the Kirk the place of prayer and ceremony. The popular pleasures which the ancient faith had patronised were abolished. From a holiday and feast, Sunday was turned into a lugubrious penance. The priest's power to absolve, the mystical meaning of the Eucharist, vanished, and in their place the private miraculous gifts of ministers, in prophecy, in healing, and so forth, supplied the necessary element of the "supernatural." Man was left standing, without an official priesthood to aid him, in the awful presence of God, marvelling whether he were of the elect, and subject to the "wretchlesness of unclean living," which sometimes arises from the doubt. The details of private life, the conduct of the domestic and foreign affairs of the State, were subject to the censorship of preachers, some of whom believed themselves to be, and were believed to be, directly inspired. A tyranny unexampled was imposed on life and conscience, and enforced by the civil penalties of excommunication —that is, "boycotting." Yet the tyranny was a democratic tyranny, often exercised by rude men of low birth. Thus, of Churches which have a common name to be Christian, there could not be two so unlike each other as those which in England and Scotland were to arise from the ruins of Rome. Meanwhile the essentially Christian virtues of meekness, sweetness, tolerance, long-suffering, could not be pre-eminent in the chill shadow of the early Kirk: "terrible as an army with banners." The character of the Scots was such as to lead them to the Kirk which they created—and starved; but the nature and iron laws and creed of that Kirk, in turn, confirmed the national character.

But, under James V., these things still "lay on the knees of the gods." It is probable, as has been seen from an event in the reign of James IV., that Lollardy had never been quite stamped out in the remote region of Kyle. It was certain that the "new learning" associated with the name of Erasmus, and with his edition of the Greek Testament, would, in Scotland, produce the necessary fruit

of universal questioning. Elphinstone had placed Boece, an acquaintance of Erasmus, in his new University of Aberdeen. Panter, the Latin Secretary of James IV., was a disciple of Erasmus as far as Ciceronian as against mediæval Latin was concerned. Archbishop Stewart, who fell at Flodden, was educated in the school of the new learning; but Hepburn's New College of St Leonard's, in St Andrews, was erected on the old scholastic lines. Major, the most famous of the Scottish teachers of the age, was ridiculed as an old-fashioned pedant by Rabelais, Melanchthon, and George Buchanan, but he was opposed to the absolute supremacy of popes; he held quite modern doctrines as to the absence of right divine in kings; he censured the licence of the clergy, and the indolent wealth of the monastic orders, and he was a warm friend of union with England. Only at a change of doctrine, and at the new erudition, did he pause, not advancing to the learning which deserted the mediæval criticism for classical and sacred writers in the original Greek and Hebrew. Knox and Buchanan had both studied under Major; they were to carry his Liberalism further, and into practice.

While the new learning had already, in the hands of Erasmus and others, sapped the frame of the mediæval world, the abuses of the mediæval Church had, in Scotland, risen to a perhaps unequalled height. Vernacular poetry and *fabliau* had for ages satirised the vices of a celibate clergy, the system of "pardoners," the idleness of able-bodied monks, the luxury and ambition of prelates. But these old abuses had been so long the butts of ridicule that it seemed as if, against them, ridicule was harmless. Flodden incidentally brought matters to a head. The death of the king and many earls at Flodden left more political power than ever in the hands of the clergy. The death of the Archbishop of St Andrews on the same field, and later of the venerated Elphinstone, Bishop of Aberdeen, in his bed, left benefices vacant in many directions. These were at once fought for in feudal war, with clerics for captains, as we have already shown in part. These militant clerics were, as a rule, cadets of the great families, so that Stewarts, Douglases, Hamiltons, and the allied houses were warring with sword and gun for the benefices of the Church (see pp. 392, 393). "Every man takes up abbacies that may please, they tarry not till benefices be vacant, they take them ere they fall, for they lose virtue if they touch ground." This often-quoted passage is an

extract from a letter which, as early as 1515, sketched the essential characteristics of the nascent Revolution, and of the Scottish character as it was, and, still more, as it was to be. James Ingles, or English, the chaplain of Margaret Tudor, was the author, writing to Adam Williamson.[1] He had been on a mission to England, and was fabled "to have stolen away the king." "You know," he says, "the use of this country. Every man speaks what he will without blame. There is no slander punished. The man hath more words than the master, and will not be content except he know the master's counsel. There is no order among us." So long the country of feudal loyalty to a chief, if to no one else, now Scotland had become a realm where "the man hath more words than the master." The celebrated "independence" of which Burns boasts so much was being developed; and Knox, with his survival of feudal fidelity to the House of Hepburn, his extremely free speaking, and his fearlessness of the face of man, was the type of Scot which was being evolved out of anarchy and revolution. The brawling of ecclesiastics in 1513-16 would not escape the free tongues of the populace. The private lives of some of the clergy were as secular as the corslet of Archbishop Beaton. Had we only the statement of Knox (who had a taste for scandal) and of other Protestants, we might doubt this, but the records of the legitimations of "priests' geats" (bastards) are testimony invincible. Alan, or Alesius, a canon of the Priory of St Andrews at the time, mentions the Archbishop's request that Patrick Hepburn, of the wild Bothwell blood, the new prior, would put away a mistress who lived within the precinct. Hepburn answered by arming his retainers. David Beaton (later cardinal) and Rothes prevented a battle between the Castle of St Andrews and the fortified Priory which lie so near each other.[2]

One of the most extraordinary and, in its way, diverting indications of clerical morals is contained in a deed of obligation (1455) between Patrick Brown, Chaplain of the Altar of Corpus Christi, in the Church of St Michael at Linlithgow, on one hand, and the bailies of the town on the other. The chaplain binds himself, with six sureties, not to pawn the sacred plate, books, and vestments, "to use no unreasonable excess," and "to have no *continual* concubine," though one unceasing mistress seems less dangerous to public peace than a system of constant mutation in amours.[3] While some of the clergy were thus fierce and dissolute they were also, with many notable exceptions, ignorant. Their

learning, except for a few devotees of the studies of the Renaissance, was the old learning. Greek they had none, nor Hebrew. Their forte lay in knowledge of the law (notaries, like Knox, were clerics) and of affairs. They could not meet students of the texts of the Old and New Testaments in dispute—indeed they had no common ground. Catholics stood on the traditions developed by the Church, under the constant guidance, as was alleged, of the Holy Spirit. The new men stood on the letter of the Bible, as the sole and sufficient inspired authority. The eternal complaint is that the clergy do not preach, that the bishops are "dumb dogs." Preaching, in fact, was left almost wholly to the friars. Modern people will see no great harm in this, for the ordinary run of sermons are great deterrents of church-going. Every man ordained is not necessarily eloquent, nor even capable of the humblest literary composition. But a hunger and thirst for sermons was arising in Scotland. As the Reformation advanced they became the chief substitutes of the age for newspapers and magazines. The harangues were political, antipapal, controversial, stirring, and exciting. The friars, on the other hand, are said to have preached mainly on legends of saints and saintly miracles.

A poem of David Lyndsay, "Kitty's Confession," written probably about 1540, shows what the friends of the new ideas expected, and what the priests gave, or were said to give. The humour of Lyndsay was, of course, among the influences which diffused the modern doctrines.

"He showed me nought of God His word
Which sharper is than any sword,
. . . . . .
Of Christ His blood nothing he knew,
Nor of His promises full true,
. . . . . .
He bade me not to Christ be kind,
To keep His law with heart and mind,
And love and thank His great mercy,
From sin and hell that savèd me.
And love my neighbour as mysel,
Of this nothing he could me tell,
But gave me penance every day,
And Ave Marie for to say,
And with a plack to buy a Mess,
From drunken Sir John Latinless."

Material formulæ, penance that could undeniably be done, and

done with, words that could be uttered, money that actually changed hands, were imposed upon the penitent. The Kirk was to sweep away almost all formulæ except that rigidity about the Sabbath, which took the place of the rest, and was often all the religion that a Scot possessed. Whether Kitty (in the poem) was not as chaste as her Presbyterian daughters proved, and as lucky in the old teacher as her daughters were in teachers who might tell her that the salvation of *all* her children "would be an uncouth mercy," may be questioned. However, the tide in Scotland was turning under James V. against formulæ and traditions. The new learning could not find Purgatory in the Bible (though found it may be, with research), and if there were no Purgatory, then all the money laid out on Masses for souls had been robbed. So, later, Arran came to think (1543), and changed what few but he called his mind.

There were also practical grievances. First, Rome took a great deal of money out of the country. We have heard of Patrick Graham, the unhappy first Archbishop of St Andrews. As soon as he was translated from Brechin to St Andrews, in 1465, he paid 3300 golden florins, and was to pay more, to Rome, *ratione translationis*.[4] Six hundred more golden florins were paid, and yet more were promised by Graham, as Commendator of Paisley, in January 1466. In 1473 the papal records show Graham still paying, as Commendator of Arbroath. This was in December: the Bardi were his bankers, and we find him threatened with excommunication by Paul II. for lack of punctuality in transmitting money. These are examples of one practical grievance. Rome was of the daughters of the horse-leech.

Once more, canonical prohibition of marriage grew till it reached the seventh degree of consanguinity; while spiritual kindred, through godfathers and godmothers, multiplied the intolerable number of taboos. In a small country like Scotland, few people of good birth could marry without breaking ecclesiastical taboos. Therefore dispensations had to be paid for; while divorce, on the ground of too near kinship, could always be procured—for a consideration, if money had not already been paid to the dispensing power.[5] The divorces of Margaret Tudor, mother of James V., are only flagrant examples of the common condition of morality. The poor were especially the victims of ecclesiastical plunderers.[6] The customary extortion by the clergy of "the best cloth," or "upper cloth," and

a cow from the family of the dead peasant, was a detestable abuse devised on feudal lines. James suppressed, or tried to suppress, this iniquity, as we shall see, in 1536. People soon declined to pay for "the penny curse" on the unknown thieves of stolen property, when "nobody seemed one penny the worse." The populace, after all, was to find that it had made a bad change of masters, for, by Knox's admission, the clergy were more kind and lenient than lay landlords. But every class, from Kitty to the *noblesse*, had now its own grudge against the clergy as lewd, greedy, ignorant, indolent, or too active, and these old quarrels were inflamed by the infiltration of the new learning—the books of Luther, and English translations of the Scriptures. We have seen that, in 1525, the Scots Parliament condemned the introduction, by seafaring men, of Luther's and others' heretical writings. Gavin Dunbar, Bishop of Aberdeen, at once obtained a warrant against persons who brought such books from the Low Countries into his university town. These works, like English translations of the Bible, being contraband, were probably expensive, and, being prohibited, were in demand. An agent of Wolsey's informed him that such volumes were freely smuggled into Leith, Edinburgh, and most of all into St Andrews. To us it seems the extreme of absurdity that Christian men should be prohibited from reading the sacred books of the Christian religion. A few years earlier than 1525-28 similar opinions had prevailed in England to a certain extent. More tells Erasmus that the Bishop of Winchester (Gardiner) "in a large concourse of people affirmed that your version of the New Testament was worth more to him than ten commentaries." The bishops were loud in its praises, said Warham.[7] Yet Erasmus, by applying the principles of philological criticism to the Greek Testament, as to any other Greek book, was upsetting the tradition of the Latin Vulgate. "Who sees not that the authority of the Church was displaced, and the sufficiency of all men individually to read and interpret for themselves was thus asserted by the New Testament of Erasmus?"[8] People did not see it till Luther opened their eyes.

But, by 1528, we find Wolsey accusing a man for that "he expounded and wrote annotations of the Scriptures *out of his own mind*, abandoning the doctrines of the Church."[9] This clergyman's Biblical studies had led him to some extreme opinions. "*All* prelates after the apostles, and all popes, were Anti-Christs." All of the regulars were regular robbers, "praying in churches is bad,"

only preaching is of grace, it seems. "All Christians are kings," and so forth. The common reading of the Bible thus meant, about 1530-46, not merely sounder ideas in ethics and belief, but also a deluge of mischievous nonsense, and of social anarchy. We shall find George Wishart denying the Atonement, recanting, and, far from being taught diffidence, storming at the town of Haddington for an hour and a half because a scanty congregation comes to hear him preach what he now thinks the truth. The truth in England was one set of ideas in 1528, another in 1536, and a fresh set in 1548. When Henry VIII. did admit the English Bible in 1536, after his final quarrel with the Pope about his divorce, the Scriptures, as he complained, "were disputed, rimed, sung, and jangled in every tavern and ale-house." Instead of a gentler and godlier life, the reading of the Bible bred at this time a variety of absurd sects, and a new set of intolerant dogmas. The new wine, in short, needed time to settle; meanwhile it was certain to burst the old bottles. That this would occur was obvious, and therefore the clerical guardians of the old bottles prohibited the introduction of the new wine, the translation of the Bible. The prohibition was certain to be ineffective, but to make the effort was natural and intelligible. The truth of Oliver Cromwell's great saying, "Brethren, in the bowels of Christ, believe me that it is possible you may be mistaken," had as yet occurred to nobody. The religious factions neither gave nor took quarter. Protestants, whom Catholics were eager to burn, themselves pronounced death on all "idolators"—that is, Catholics, also on Anabaptists. The Covenanters, later, rejoiced in that pleasant phrase, "the vomit of Toleration."

In the beginning of this war of opinions Patrick Hamilton was burned, as we saw, in the spring of 1528. He was not the first heretic to suffer in Scotland, but he was the first Scottish heretic. He was born in or about 1505, being the son of Sir Patrick Hamilton of Kincavel, near Linlithgow, a bastard of the first Lord Hamilton. Sir Patrick, a very good knight, fell, as we saw, in the fight of Cleanse the Causeway. Young Patrick, when a mere boy, was made Abbot of Ferne, in Ross-shire. He drew the revenues, but did not do the duties, or wear the costume. His church is now a mere shell, containing a small, bare, empty kirk of the Establishment: a few faint traces of the ancient art are visible in the walls. Patrick took his Master's degree, in the University of Paris, in 1520. His *curriculum* there, scarcely touched as yet by

the new learning, was nearly the same as it would have been at St Andrews; but the university was much more gay, "with breakfasts, dinners, luncheons, and suppers." Erasmus was widely read and admired, and Major was already regarded as an obsolete old person.[10] Hamilton probably acquired Greek, as he preferred "the text of Aristotle," and liked Plato. The controversy about Luther's book was furious at Paris, and later, when reading at Louvaine, Hamilton was in the centre of the new ideas. In 1523 Hamilton was incorporated in the University of St Andrews on the same day as John Major, who was not so obsolete at home as abroad. Hamilton, as a travelled student in the new learning, must have had much influence with the younger men. We hear that he composed a musical Mass, in parts, for nine voices, which he would have had no opportunity of doing had he lived to be over sixty. He perhaps took priests' orders, later he married. At this time (1525-27) the smuggled Lutheran books probably fell into his hands. He was cited by James Beaton in 1527, but retired to Germany. He went to Wittenberg and Marburg; he may have met Tyndall in Germany, and he put forth theses (Patrick's Places) in theology.

"The law saith, Where is thy righteousness, goodness, and satisfaction? The Gospel saith, Christ is thy righteousness, goodness, and satisfaction."

"He that hath faith is just and good."

'Faith is the gift of God, it is not in our power."

"Seeing that Christ hath paid thy debt, thou needest not, neither canst thou pay it."

To Hamilton's Catholic judges in 1528 all this doctrine of his would seem to imply that "works"—that is, a good life—are indifferent, or even unnecessary. Hamilton was asked by Beaton to come from Kincavel to St Andrews for a conference. Here he is said to have been entrapped into confiding his opinions to Campbell, Prior of the Dominicans, who became his accuser. He converted Alan (Alesius), a young canon whom the exemplary Patrick Hepburn, later, did his best to destroy by shutting him up in a filthy prison. Alesius escaped (all this is of a later day), and from the Continent took an active part in Scottish controversy on the reading of Scripture. To him we owe much of what is known about Hamilton.

Scottish persecution was half-hearted. Archbishop Beaton let

Hamilton know that he wished him to make his escape. Beaton was a connection of the Hamiltons; he did not desire, besides, to incur their feud. Patrick's brother, Sir James (not Sir James Hamilton of Finnart), collected a force for his rescue, but was detained by a storm. Hamilton was tried, defended his opinions by the usual arguments, and was burned on February 29, 1528, in a terrible gale of wind, outside the college of St Salvator. His punishment was unusually protracted and cruel, his courage was equal to the excellence of his life. The law of the state was executed, the coronation oath was kept, but "the reek of Mr Patrick," blown through the land, infected many, and the thirty years' struggle began for Protestantism while James V. was only a boy.

Hamilton's theology was to be that of the Protestants of Scotland till 1543, about which date George Wishart translated the First Confession of the Helvetic Church, with their doctrine of the Sacraments, concerning which we hear but little of Hamilton's opinions. Alan, Hamilton's convert, fled from Scotland in 1530, Gavyn Logie, a canon of St Andrews, in 1534. There were many other exiles, and some martyrdoms. For example, the natural indisposition of man to pay tithes, and the no less natural inclination of a priest to be married, seem to have been the original impulses which led David Stratilon and Mr Norman Gourlay to inquire critically into grounds of doctrine. They then adopted the new opinions, for which they were burned at Edinburgh in August 1534. The case of these men may be taken as fairly typical of the persecution in Scotland under the Church. It was a persecution reluctant and half-hearted, though under Cardinal Beaton it was to be glad and heartless. Not only James V. but even one or two of the higher clergy, in certain instances, were anxious that the martyrs should make some colourable pretence of recanting, or even should escape from custody. A cruel punishment like burning can only be effective if practised on a very large scale, and with mechanical ruthlessness. Effective persecution, like that instituted by the Reformers as soon as the yoke was off their own necks, must work evenly, universally, and, as it were, mechanically. Imprisonment, confiscation, exile, death, denounced and inflicted in successive grades, on all practising Catholics, almost stamped out Catholicism in Scotland after 1560. Sporadic burnings and confiscations under James V. could not put down the nascent Protestantism.

To return to the martyrs of 1534, Stratilon "at first hated the priests only for their pride and avarice." He declined to pay tithes on his fisheries. He was cursed, contemned the curse, and, though totally illiterate, he now looked into the doctrinal controversy. James attempted to save the life of Stratilon at least, but Stratilon would not "burn his faggot" in token of recantation. The king was bound by his coronation oath to extirpate heretics, just as James VI. was bound by his coronation oath to extirpate "idolaters" (Catholics). The bishops, according to Calderwood, said that the king had no prerogative of mercy. "The king's hands were bound" by his oath. He could only try to make heretics give some sign of recantation.[11]

If James himself could only have come under conviction, and been the subject of a gracious awakening to the truth, it would have been happy for Scotland. His uncle, Henry, with his love-affair and his divorce, and his quarrel with the Pope, was now a brand snatched from the burning. The Act of Supremacy (1535) gave Henry power to amend all heresies. In 1536 this Tudor Pope drew up articles of religion, which everybody in England must believe, or take the consequences. The Bible and the three Creeds must be accepted. Confession and transubstantiation must be practised and believed. Purgatory and Masses for the dead were abolished. In 1539 an authorised English Bible was published. A reign of terror now included among its victims Fisher, More (himself a persecutor), and the Carthusians. For the moment the truth had been defined by Henry, while the Bible was "rhymed and jangled" in taverns. Meanwhile Dominicans in Scotland, such as Seton (of the ancient and loyal house of Seton of Touch), were adopting the new ideas, and while several were exiled, a few died for their beliefs. The clergy had, it seems, about 1532 issued an edict against selling, buying, or owning the Scriptures in English, for a controversy broke out abroad between Alan, the canon who fled from the loathsome detention in the Priory of St Andrews, and Cochlæus, a German Catholic. Alan put his tract against the decree of the bishops into a printed letter to King James. Cochlæus pointed to the tumults and tragedies of Germany. Thousands had died by reason of Luther. Erasmus, who had no delight in battle and murder for differences of doctrine, backed Cochlæus, and applauded James, who thanked him in a letter written at Holyrood on July 1, 1534.[12] James also accepted the dedication of the tract

of Cochlæus. It was in the next month that Gourlay and Stratoun, or Stratilon, were burned, and Sir James, the brother of Patrick Hamilton, fled the country. He was destined to return to strange purpose. While Parliament still condemned Lutheran books in July 1535, in March 1536 Angus, writing from Berwick, announced to his brother Sir George that the Scottish clergy "are sitting in general council in Edinburgh, on certain articles put to them by the king. He had bidden them give up crospresandes and the owmest claycht" (that is, the death duties to the clergy, already described); while every man is to pay teinds, "syklyk" (such) "as he pays to his landlord." The Churchmen of Scotland, Angus says, were never so ill content. James had alienated his nobles by repressing their disorders. Now he is alienating his clergy by repressing their greed. Angus adds that a meeting is expected between James and Henry.[13] James was obviously bent on reforming the conduct, if not the doctrine, of his clergy, and much turned on the question whether he would meet Henry, and perhaps, imitating his example, become a Pope in Scotland. James might now have had his eyes opened to the errors of Rome by Henry's example and avuncular wrestlings for his soul, but politics interfered.

James is not, perhaps, to be blamed very much for looking towards France. The tyranny, treachery, and unscrupulous intrigues of Henry have been exposed: no man, or no young man of spirit, could really forgive them. France and the Auld Alliance appealed to James, consequently he remained Catholic. The Reformation in Scotland was not to come from above, from the throne, but from the piety of the populace, the new criticism, and the passions of the exemplary nobles, whose disinterested conduct shines on almost every page of this book.

We now leave the national condition, as influenced by dawning Protestantism in the early part of the reign of James V., and turn to his later political misfortunes. On one hand lay his treacherous uncle Henry and his traitor subject Angus. On the other hand were his half-alienated clergy, at war with the new ideas in religion.

NOTES TO CHAPTER XV.

[1] January 22, 1515, L. and P., ii. i. 14.

[2] Alesius, Responsio ad Cochlæi Calumnias, 1534. Cited by Lorimer, 'Patrick Hamilton,' p. 76.

[3] Lorimer, 'Patrick Hamilton,' p. 107.

[4] Mr Bliss's Transcripts, November 28, 1465, Record Office.

[5] See Liber Officialis Sancti Andreæ, Abbotsford Club. The Preface, by Mr Cosmo Innes, is instructive.

[6] *Op. cit.*, p. xxx.

[7] L. and P., ii. i. 619 (2074).

[8] Brewer, 'Henry VIII.,' i. 287.

[9] L. and P., iv. ii. 4444.

[10] Ludovicus Vives to Erasmus, 1521. Cited by Lorimer, 'Patrick Hamilton,' pp. 33-35.

[11] For Stratilon see, among other sources, Pitcairn's 'Criminal Trials,' i. 210.

[12] L. and P., vii. 934.

[13] L. and P., x. 536. State Papers, iv. iv. 667.

CHAPTER XVI.

THE END OF JAMES V.

THE history of the early Protestants in Scotland has brought us to the spring of 1536. But the question of the new ideas had before this date been entangled with the problem of James's relations with Henry VIII., and with the kind of Church which Henry was building up under the dictation of his tastes, opinions, appetites, and interests. We have said that the question of Reformation and the question of James's marriage arose into prominence simultaneously. The latter topic, in 1534, became of paramount importance. The problem was settled in a manner unfortunate for the king and for the country, but history cannot pronounce, with the freedom of Mr Froude, that, "like the rest of his unfortunate family, James seemed fated by nature to choose the wrong side." It was not nature, not a curse like that of the Atridæ, but a combination of circumstances, which made James choose the side doomed to failure. Had he chosen the other, human wisdom cannot be certain that he would have been more fortunate. In autumn 1535, Lord William Howard received his instructions as Ambassador to Holyrood.[1] The instructions to Howard are curious. "After compliments" he is "to get the measure of the king's person," and set a tailor and a broiderer to work on making a suit of clothes for his Majesty.

A present of horses is also to be made. Howard is then to insinuate Henry's desire to meet his nephew, and is to discuss this all-important matter with the Treasurer, the Bishop of Aberdeen. He is to urge that Henry is about to meet the French king, and would like James to be present. Henry will pay the expenses, if James will pass through England, and accompany his uncle to France. The Scottish aid to Irish commotions was then to be gently touched upon. An offer of the Order of the Garter was to

be made. The cause of Angus's restitution was to be pled, "this man hath ever *in harte* ben as trew and loyal . . . as any of his house hath ben afore tyme." This was fairly true—but not in Henry's sense. Yet Henry knew that Bothwell, *with Angus's aid*, had offered to crown him, Henry, in Edinburgh![2] Such was the gist of Howard's undated instructions. On October 3, 1535, Henry also recommended the Rev. Dr Barlowe, his chaplain, to his nephew's Court. "Isolated as he now stood in Christendom, it was of the first importance that he should bring James to the same way of thinking in religion as himself."[3] The Instructions to Barlowe are a most wonderful document, apparently to be learned by heart, and addressed to James. Henry points out to James that the Holy Spirit is now abroad (Joel ii.), and kings must attend and be edified (Psalm ii.) The Bishop of Rome keeps princes in ignorance, contrary to God's word (Deuteronomy xviii.) Kings must only be directed by the Bible. Otherwise plagues will arise (Leviticus xxvi.) Priests must be obedient to kings (1 Peter ii.), as God declares (Hosea viii.) Lucifer inspires the Pope (Daniel viii.) The Bishop of Rome is the modern representation of the Pharaoh who knew not Joseph (Exodus i.) James must imitate the good king Joseas (4 Kings xxii.), and "practise the praised policy of Jehu" (treacherous massacre), as Henry VIII. has done, though the Bishop of Rome complains about the execution of the Bishop of Rochester. James will be a rich man if he is wise, and seizes clerical property.[4] This canting lecture, in which Henry quotes the deeds of the murderer Jehu as warrant for his own martyrising of a bishop, and the book of Deuteronomy as his general warrant, is typical of his Reforming temper. The peculiar dialect of early militant Protestantism, "the patois of Canaan," has, we see, already been developed. The Reformer of the Church of Christ adopts neither His language nor His spirit, but justifies the slaying of Fisher, for example, by the massacre of the priests of Baal, and models himself on the murderer of Jezreel. The Pope is inspired by Lucifer. Everybody, Henry thinks, must see facts so conspicuous, though Henry himself did not see them till light dawned from the brown eyes of Anne Boleyn and her jewelled hair.

James briefly acknowledged Henry's kindness. He, for his part, would hold by God and Holy Kirk, "as our ancestors have done these thirteen hundred years past." A hasty conversion he would not make, but would be glad to hear Henry's ideas about a meeting

between uncle and nephew (December 6). Margaret had prematurely assured him that James would assent to the meeting.[5] She informed Cromwell that clerical opposition to the royal meeting took the shape of a sermon by a Dominican, in which things were hinted against Henry, who had lately passed his Act of Supremacy. James, however, had paid no attention to the sermon.[6] By February 10, 1535-36, Barlowe was at Berwick, grumbling to Cromwell about the state of the Marches, and averring that "in these parts is scant any knowledge at all of Christ's Gospel." There is plenty of priests, sundry sorts of religious, flocking of friars, but not one that sincerely preacheth Christ.[7] Barlowe, therefore, expects God to take terrible vengeance, because Scotland lags behind England in religious opinion. This Barlowe, later Bishop of St Asaph, and, again, of St David's, appears to have been a hot Gospeller, and not a well-chosen emissary. Lord William Howard was with him apparently on his second missionary visit to Scotland. "People are surprised at the despatch of so stupid and indiscreet a man" as Howard, says Chapuys, writing to Charles V.[8] The ambassadors were instructed to keep reminding James of the desirableness of robbing his Church, but not to press this point, lest the Bishops should interfere to prevent a meeting with Henry. The interview with Henry is to be "*as far within England* as they can" make it. Barlowe is to instruct Lord William in apt texts of Scripture! As to James's proposed marriage with Mary of Bourbon, the ambassadors are to try to defer it, and hint at French "slipperiness."[9] James, on March 1, wrote from St Andrews, full of joy at the idea of a meeting. On March 8, Margaret assured Cromwell that place and time (midsummer) were fixed. But there were difficulties which could not be overcome. All that Margaret and James had resolved, or promised, was promised without the consent of the Council of the realm. Barlowe and Howard, in March 1536, found that Provincial Council sitting in Edinburgh, to which James had sent injunctions forbidding the clerical extortion of death dues. Angus, as we saw, was in Berwick, hoping for something from the exertions of the English embassy, and delighted by the distress of the clergy over their lost death dues. Barlowe wrote to Cromwell in a bad temper. "The whole Council are none else but the Papistical clergy."[10] "If they might destroy us by a word, their devilish endeavour should nothing fail." Nothing will be done, by clerical consent, to put down Border robbers, for the clergy are

robbers themselves, "the Pope's pestilent creatures, and very limbs of the devil," the "lying friars, we being present, blasphemously blatter against the verity," the Truth as it is in Henry VIII. Barlowe is anxious to reply from the pulpit.[11] Barlowe illustrates the tone of some Reformers. He, within the last year or two, has found salvation. Henry has thrown off the Papacy, therefore every one who holds the opinions lately held by Henry and Barlowe is a limb of the devil, and a blasphemous blatterer. This attitude makes it difficult to sympathise warmly with these friends of Reformation, and accounts, in part, for the failure of the ambassadors, with their texts, to convert James.

Margaret informed her brother Henry (March 16) that the clergy advised James not to go south of Newcastle, nor listen to "your new constitutions of the Scripture." A hitch had occurred. Henry would not declare the *cause* of his desiring the interview "to any man alive except the Scottish king."[12] Stories went abroad that, as Barlowe produced his Biblical parallels, and tried to convert James, the air was darkened and rent by thunder, whereon James crossed himself and declined further instruction.

On April 25, 1536, Lord William Howard explained the state of affairs to Henry. On Good Friday he saw James at Stirling, when James asked "for what particular causes" Henry desired a meeting? He must have these causes to lay before his Council. Howard replied that for kings to give particular reasons in such cases was unheard of, and that James must have listened to malicious tongues. This reply showed little tact. Howard, as Chapuys said, had none. James answered that his Council had never been made privy to the project of meeting, and declared that they would never have agreed to it. As James had made a promise they would agree to a meeting at Newcastle at Michaelmas. Howard perceived the great inconvenience of this arrangement to Henry. He added that the marriage arranged between James and Mary de Bourbon, daughter of the Duc de Vendôme, was broken off (the marriage treaty had been signed on March 29, 1536), James insisting on wedding the mother of his son, later the Regent Moray, who might be divorced from her husband. A marriage which would have legitimated the future Regent might have saved much woe—but it could not be.[13] The royal meeting had been a private project of James and the queen-mother, who herself admitted that it had not been plainly declared

to the Council. Henry, keeping his temper remarkably well, wrote to James that an alteration had been made in what he had considered a definite arrangement. He had only desired to indulge his affection for his nephew. He was still ready to meet James at York a fortnight before Michaelmas.[14] On May 13, Howard told Henry that James was dissimulating, and had sent to Rome to ask the Pope to forbid the royal meeting. James denied that he had ever formally agreed to a meeting at York, "by no manner of writing or credence." He must act by advice of his Council.

The failure of this meeting, with all the misfortunes that arose from a want of understanding between James and his uncle, has been made a heavy charge against the Scottish clergy. It was not in nature that they should wish Henry's kind of Reformation to cross the Tweed. James Beaton probably knew well how Wolsey and Henry had plotted with Angus to trepan him. Henry had probably no definitely treacherous purpose at this moment; but who could answer for him if he met but did not win over James? Apart from all other reasons for distrust, Henry had determined that no King of Scotland should ever enter England except as a vassal. A few months later Henry avowed this when James wished to return through England from France: "The king's honour is not to receive the King of Scots in his realm except as a vassal, for there never came King of Scots into England in peaceful manner otherwise."[15] This intolerable pretension in itself affords good reason why James should never have met Henry in England at all.[16] The Order of the Garter, the presents of clothes and horses to James, the texts in which Howard was tutored by Barlowe, were neutralised by Paul III., the new Pope, who sent to James a consecrated cap and sword, while Campeggio was instructed to address him as Defender of the Faith. James was also allowed to levy a contribution on the clergy. Thus, even if Henry had sent less dull and dogmatic ambassadors, and had a less odious example of Reformation to offer, James would probably have remained true to the ancient faith.

This refusal to meet Henry at York is regarded as a turning-point in history. Had James only gone, "he would have learned to feel like an Englishman, and English influences would have surrounded the cradle of his child," as they surrounded the cradles of Bloody Mary and Elizabeth.[17] These are historical hypo-

thetics! No mortal can tell what the result of James's journey to England in 1536 would have been, and a marriage with the Princess Mary could not have been very fortunate. James was Scottish, not English. He had every conceivable reason for distrusting his uncle, and, if Henry's hidden intentions were good, Henry, rather than James or his advisers, is to blame for their not being accepted as such. The English ambassadors cast the odium of refusal on the Scottish clergy, who, naturally, did their utmost, in their own interests, against Henry's plan. James's "superstition"—that is, the creed in which he had been educated—was probably worked upon. But the wisest and most disinterested man in Europe, had he been in James's Council, must have felt that to go south was to make a gambler's cast of the dice.

While marriages of royal rank were being proposed for James, he was really, as Howard said, fostering the Até of his house by not making that marriage, discreditable enough, which would have been happiest for Scotland. He had a son by Margaret Erskine, daughter of Lord Erskine—a lady wedded by this time to Douglas of Lochleven. The diplomatic gossip of 1536 represents James as anxious to secure a divorce from her husband for Lady Douglas, and to marry her himself. He was not off with his "old true love." Far from reputable as this arrangement would have been, James might have legitimated his son by Margaret Erskine, as his own ancestor had been legitimated—and that son was the famous Bastard of Scotland, the Regent Moray. With him on the Scottish throne all would have gone as well as high ability, private conduct, and Moray's celebrated knack of "looking through his fingers" could make things go. James V., like James VII., was doomed to have a son born out of wedlock, of whom, if legitimate, it might have been said as truly as it was untruly said of Prince Charles, that he came *everso missus succurrere sæclo*. But to the Earl of Moray, as to the Duke of Berwick, other fortunes were allotted. James actually consulted the Pope about a divorce for his old love, but it was not to be.[15]

It has been necessary to consider James's relations with Henry as to the proposed marriages and proposed meeting, because these personal affairs were the very hinge of Scottish history. We can all see, wise after the event, that it would have been well for James, and well for Scotland (the ill omen of a marriage with Bloody Mary apart), if he could have put himself under Henry's tutelage, always

supposing Henry to act honestly. The Union would, perhaps, have been achieved, and the Reformation, perhaps, would have been alleviated. But to argue from these possibilities that James was at once weak, and possibly judicially blinded,[19] or that his counsellors were mere interested bigots, is to be grossly unjust. The hospitable Henry had always been the most cruel and ruthless intriguer against his nephew, a suborner of rebels, spies, desperadoes, and he was intent on his pretended right to treat the King of Scotland as a vassal prince. His hands were red with the blood of More and Fisher; he was himself burning heretics rather more frequently than they were burned under James, who again and again pleaded for them both with the bishops and the Pope. Henry was advising James to keep the Mass, the Lenten fast, the stake, but to throw off allegiance to the Pope, and to rob the Church "for the honour of God." In this shape the nascent Protestant Reformation of England was offered to James by an uncle whose professed friendship did not conceal his inveterate duplicity and enmity. No man of sense, no man of honour, can blame James or his counsellors for rejecting these overtures. James took the fatal turn; he went over to the losing side; the ruin of his house was written in the book of Fate, but—what a sinister aspect is that of the side which was destined to win! In the cause of common fair-play these facts must be explained at length: the narrative may now march more swiftly.

To end the *tracasseries* of his marriage schemes, his old love being out of the question, James set out himself, probably for France, though reports varied. In any case, through stress of weather, or through treachery of Hamilton of Finnart, he returned to Scotland. He then appointed a council of Regency, and sailed from Leith, having with him, among others, that unhappy Oliver Sinclair (September 1, 1536). Honourably received in Paris, he offered his hand, not to Mary of Vendôme (whom he saw but did not admire), but to Madeleine, the young and fair but fated daughter of Francis I. A curious description by a spy of Angus represents James as detested, and not likely to be allowed to live. He runs foolishly about the streets, and into the shops, buying things for himself, believing himself incognito, while the very carters say, "There goes the King of Scotland."[20] "Every man is weary with him; they wish him under the ground, they say he cannot continue." He still corresponds, says the spy, with the wife of Douglas of Lochleven, his old love: *veterum haud immemor amorum.*

On the other hand, the English ambassador, Wallop, found James "very sober and discreet, so that the French king, the Great Master, and the writer could not persuade him to some things when he had reason to the contrary."[21] James, however, was decidedly of the Papal party, "as obedient to the Pope as can be desired."[22] The royal marriage was celebrated on New Year's Day, 1537, with much splendour, though the bridegroom's face had been bruised by a blow received in a tournament.

Next, Francis, as a friend of Henry, asked that his daughter and son-in-law might be allowed to return home through England, and it was added that James was ready to make the same request. But the request not being originally preferred by James, Henry demurred.[23] Norfolk attributed James's silence to "Scotch pride," but thought his request should be granted, as a view of England would be salutary, James having, "as he ever will have, a very enemy's heart in his body."[24] Henry refused. No Scots king should enter his realm but as a vassal. James had not obliged him by restoring the harmless Angus, nor had written to him announcing his marriage; moreover, he had affected to fear betrayal if he met Henry (who had just cherished a scheme for kidnapping Charles V.) Any accident to James in England would be misconstrued. The expense, too, would be considerable. James and his ailing bride therefore returned to Scotland by sea (May 19). Meanwhile David Beaton (later Cardinal) was working, in the Papal interest, to have Letters of Censure against Henry carried by way of Scotland, to encourage the Northern Rebellion, the Pilgrimage of Grace. But the letters came too late; the rebellion was stamped out with extreme severity. James was expected to carry the letters, and, so Faenza wrote from Paris, promised to burn every Lutheran or anti-Romanist in Scotland, he desiring "peace among Christians"! It is more certain that Scottish heretics fled to England, desiring not to be tried in James's absence, but "to abide the law before him, otherwise they feared to have no justice."[25] Englishmen in religion, friars and others, also fled to Scotland.

On the whole, there were rumours of war (the Scots expected Henry to capture James on the seas), and the English were fortifying Berwick, Carlisle, and other Border towns. During his voyage to Scotland, Englishmen, near Scarborough, are rumoured to have appealed to him as their preserver against Henry. "As he passed

up the Yorkshire coast he received deputations from the late insurgents," says Mr Froude, "and he was heard to say that he trusted, before a year was out, to break a spear on an Englishman's breast."[26] The evidence for all this is that Clifford says that Berwick says that Crayn says that certain Englishmen asked James to come in and help them, but that James avoided meeting another gentleman on a like errand, "*knowing the evil minds of the persons aforesaid.*" All of which Mr Froude religiously omits. The speech about the spear was heard opposite Berwick, where James would see the new English fortifications about a town which he regarded as his own.[27] On arriving in Scotland he did not look with much favour on his mother, then scheming (the unwearied Tudor that she was) to get a divorce from "Lord Muffyn," as Henry VIII. humorously calls Lord Methven. "Margaret found herself suspected and hated as a spy of England," says Mr Froude. This fact was the less amazing since Margaret had just described herself as colloguing with Henry's "secret servant," Ralph Sadleyr. Indeed, to spy, now for one side, now for the other, was Margaret's occupation. Her whole life had been a warning against a Scottish royal marriage with England.

The young Queen of Scotland had scarcely begun to be settled in her new home when she died, on July 7, 1537. Her death was followed by two affairs which have left a stain, deserved or not, on the memory of James. On June 11, 1537, the Earl of Huntly accused the Master of Forbes of a design to shoot James at Aberdeen; for which offence, with the additional and antiquated crime of treasonable mutiny at Jedburgh under Albany, the Master was executed. He professed his innocence, but admitted that he deserved death for his murder of Seton of Meldrum. There is nothing in the names of the barons who sat on the jury to suggest that they were corrupted by Huntly or any one else, a Protestant insinuation of Calderwood's. The Master of Forbes was married to a sister of Angus's, and we may either suppose that he was unjustly condemned to satisfy James's hatred of the Douglases, or that the Douglas party were really engaged in an assassination plot.

The famous case of Lady Glamis is perhaps even more obscure. She was, at this date, condemned to be burned at the stake for treason in abetting her brother Angus, rebel and traitor, also for planning the king's death by poison. Though called Lady "Glamis," this daughter of the Douglases was now wife of a Campbell, per-

haps of Skipnish. Her first husband, Lord Glamis, had declined, in 1527, to take part with Angus when he led the young king to the Borders, and when Buccleuch tried to rescue James at the fight of "Turn Again." For this disobedience to Angus, his wife's brother, Lord Glamis was fined on July 29, 1527. On December 12 of that year Lord Glamis died, and his wife, in January 1532, was later accused of poisoning him. The local gentry declined to sit on the jury at her trial; but they did the same when the Master of Forbes was charged with the slaying of Meldrum (to which the Master, as we saw, finally confessed): the refusal to sit on a jury was an expression of sympathy, not of real opinion as to the guilt or innocence of the accused. The point most in favour of Lady Glamis's innocence is that a set was evidently made against her. She was tried several times on different charges. In exactly the same way, in 1754-55, Cameron of Fassifern, brother of Lochiel, was imprisoned, while charge after charge was mooted against him, and dropped, a fresh accusation being substituted.[28] In much the same way, on December 1, 1528, the plea against Lady Glamis was that of aiding Angus in unlawfully convocating the lieges, against the king's person. This was apparently dropped, but in 1531 her property was escheated for "intercommuning with rebels," Angus and his party. In January 1532 she was bound over to appear on a charge of poisoning her first husband, who had been disobedient to her brother Angus when he was in power. Finally, she was now condemned (executed July 17, 1537) for being "art and part" in a plot to poison the king, and for abetting Angus. The story is told that the judges asked for a reprieve, as they doubted the honesty of the witnesses. But this is part of a mass of self-contradictory and confessedly erroneous gossip, found in five or six histories written long after the event.[29] The only contemporary doubt of Lady Glamis's guilt occurs in a letter from Clifford to Henry VIII., written from Berwick soon after. "The charge, as I can perceive, is without any substantial ground or proof of matter." But Clifford was not present, and was a partisan of Angus. Lady Glamis's son, Lord Glamis, a lad of sixteen, confessed his guilty knowledge—but, as he later alleged, only on being shown the rack, and witnesses under torture, according to the odious practice of these and of much later times. The vendor of the poison lost his ears, and was banished to Aberdeenshire.[30] Burning was the usual punishment for treason in women.

Such are the facts, as far as known: they may point to an assassination plot (the Douglases despairing of restitution while James lived), or they may mean an abominable act of cruel and cowardly revenge on the part of the king.

A wife was necessary for James, now a widower, and David Beaton negotiated a marriage with the widowed Madame de Longueville, Mary of Guise. Henry VIII. had set his affections on the same lady. "He said that he was big in person and needed a big wife." Wallop, his ambassador in France, had highly commended the opulent beauty.[31] Mary of Guise, however, was promised to James. This could not increase the goodwill between uncle and nephew, now rivals in love and at strife over a new demand of Henry's for Angus's restitution. Mary of Guise landed in Fife in June 1538. Henry lost his desired bride.

In September 1539 James Beaton, Archbishop of St Andrews, died, and was succeeded by his nephew David, the Cardinal. This extraordinary man was born in 1494, being a younger son of John Beaton of Balfour, an ancient chateau where strange legends of the Cardinal and a ghost of a love of his linger still. He appears to have matriculated both at St Andrews and Glasgow, whence he went to continue his studies at Paris, which he left before Patrick Hamilton arrived. He became, probably by Albany's influence, Scottish resident at the Court of France, and we have shown how he arrived at his uncle's castle of St Andrews without first presenting himself at the Scottish Court. In 1523 his uncle resigned to him the wealthy abbey of Arbroath, the foundation of William the Lion. He sat in Parliament a mitred abbot, but his private life gave some occasion for scandal. In 1528 he is found making a life grant of certain abbey rents to Marioun or Mariotte Ogilvy, of the house of Airlie; and the Cardinal was a true lover, for Marioun, according to Knox, was with him in St Andrews Castle on the night before his murder in 1546. Their initials decorate the ruined walls of Melgund Castle, in Forfarshire, which he built for her. There does not appear to be better than traditional evidence (such as haunts the house of Balfour) for other amours. Some have fancied that there may have been some kind of early marriage with Marioun; but when once Beaton was in priest's orders the children had to be legitimated. He was present at the trial of Patrick Hamilton.

He had since been engaged in diplomacy, and had just arranged the marriage of James with Mary of Guise. In 1537 he had been in England on an embassy about Border troubles and questions of extradition. In the same year he obtained the bishopric of Mirepoix, in France, and lands were secured to his heirs; and in 1538 the Pope gave him the Cardinal's hat. Thus the new Archbishop of St Andrews, in 1539, was a man deeply skilled in the policy of Courts, and by interest firmly attached to France and to the cause of Rome.

It would be instructive to know whether Beaton had ever fairly considered the new ideas, whose adherents he was wont to burn. The real odium of persecution under such a man consists less in the cruelty (which was common to all parties, for tolerance was hateful to all) than in our inevitable doubts as to his faith in the merits of a Church whose laws he broke openly in his private life. Persecutions by convinced bigots are pardonable, but it is difficult to believe that David Beaton was a bigot. He simply fought, with great astuteness, relentlessness, and resolution, for the side on which he was enlisted. No man ever waged more skilfully and courageously the battle of a lost cause. Beaton must have been, at least in part, responsible for several martyrdoms early in 1539. Keillor, a Dominican; the Vicar of Dollar, apparently a man of the most gentle and saintly character; a priest named Simpson; Beveridge, a Dominican; and Forest, a notary in Stirling, were burned in Edinburgh. A lad named Kennedy, and Russel, a Franciscan, suffered in Glasgow. At the end of February five or six heretics were burned in Edinburgh and two in Glasgow.[32]

James was now warned, Knox tells us, by dreams and visions, including an interesting wraith of Scott, the Justice-Clerk, at the hour of Scott's death. Unalarmed, James tried to arrest the future scourge of his house, George Buchanan, the tutor of his son James (later the Regent Moray). George escaped by way of the window.

Much as these acts of persecution are to be detested, James would not have been withheld from them had he passed under Henry's tutelage. Four years later Henry had three men burned at Windsor for expressing their opinions about the Mass. He habitually burned friars, while Bishop Latimer preached at them from a platform; he burned Anabaptists and Sacramentarians, and hanged a man for eating flesh on Friday. Such was the avuncular model proposed for James's imitation. James about

this time was conciliating Henry by hunting down "makers of injurious and displeasing ballads and rhymes" about his uncle.[33] Norfolk, however, was writing about Scottish warlike preparations and a suspicious voyage of the Cardinal to France: some said to attend a meeting of the emperor and the French king, a juncture of ill omen to Henry. "England hath no greater enemy" than the Cardinal. Students of the Scripture were lurking at Berwick, among them the sister of Patrick Hamilton.[34] The Scottish preparations were really defensive, and "espials" of Wharton's declared that James declined to be drawn into war "for no outward prince." He was at grievous odds with his nobles, especially Moray, Huntly, and Bothwell. On December 19, 1539, James wrote to Henry about his measures for preserving peace on the Border. Henry was in dread of a Catholic league against him, and once more tried to win James to his friendship.

In 1539-40 Sir Ralph Sadleyr was sent on one of his many and mischievous errands to Scotland. He was a *protégé* of Cromwell, but was not involved in the approaching fall of that Minister. He was one who spoke the new *patois* of Canaan, and was very ready to suborn murder for the glory of God. He was in other respects a solid, resolute, intelligent, and unscrupulous Englishman of the middle classes. He brought some geldings as a present from Henry, who (as Scott remarks) had obviously no intention "to improve the breed of Scottish horses." Of all men the Cardinal was not to be allowed to hear Sadleyr's message. The fact was that Crichton of Brunston had been driven on land in Henry's domains with letters of the Cardinal's. Brunston was the most unscrupulous and treacherous of the intriguers of that time: an agent of Beaton's in the hour of persecution, then a creature of the Regent Arran, then a paid spy of England, a framer of plots to murder "for a consideration," yet a patron of the celebrated martyr, George Wishart. This miscreant had lost or sold a letter of the Cardinal's to his agent at Rome (16th November 1539) urging, among other matters, his desire to be made Legate *a latere*, which, he declared, was also James's wish. Henry regarded this as treason to James. He also blamed James for sheep-farming, and invited him to rob his clergy, "and meddle not with sheep," which James kept on the vast hill-pastures of Liddesdale. He dissuaded James from foreign alliances,

hinted that he could appoint his own heir, and suggested a meeting. Sadleyr was also to ask for the extradition of Dr Hilliard, a Catholic refugee.

Sadleyr met Sir David Lyndsay, Borthwick (presently banished for heresy), and other courtiers, and told James the story of Brunston and the Cardinal's letter. James replied that he would keep order among spiritual men or secular; but as to the Legateship, he himself desired it. As to robbing the clergy, James had enough of his own, "and a good old man in France" (the king) "that will not see me want anything." Sadleyr then accused the regular clergy of all manner of abominations. James answered, "The good may be suffered and the evil must be reformed; I shall help to see it reformed in Scotland, by God's grace, if I brook life." James gave very good words on the other points, as of alliances, and then they touched on the meeting, when James again denied having made any formal promise to Lord William Howard. However, he now put the matter by. Later he read the letter taken from Brunston (it appears by Sadleyr's account to have been *taken*, not sold by Brunston), and remarked that he had already seen it in a copy. "He gave the Cardinal great praise." Sadleyr admitted that James had no choice but to use clerical counsellors for want of other capable advisers. He and his men had been accused of eating meat in Lent, and averred that proclamation had been made that all flesh-eaters should be burned—a statement which excited the scepticism of Sadleyr's editor, Sir Walter Scott.[35] James, of course, absolved Sadleyr, and let him eat as much of "eggs and white meat" as he would, incidentally cursing the priests. Sadleyr was much tickled by the failure of the clergy to understand his Greek motto, *μονῷ ἄνακτι δουλεύω* ("I serve the king alone"). The bishops interpreted by *monachulus*, "a little monk." Even after the Reformation Greek was very scarce in Scotland. In this year 1540 (May 28) a singular instance of persecution occurred. It was the year of Sir David Lyndsay's "Satire of the Three Estates," especially severe on the clergy. This was enacted before James, on January 6, at Linlithgow, and pleased the king. But on May 28 Sir John Borthwick, son of the Lord Borthwick slain at Flodden, was sentenced in absence at St Andrews for heretical opinions. Cardinal Beaton was probably present; certainly Dunbar, Archbishop of Glasgow, was in

court, with Wynram, Sub-prior of St Andrews, who, *conversis rebus* (1560), was himself converted, and became a leading Protestant. There was a very full court of laymen and clerics, and Borthwick was charged with denying the Pope's authority and the efficacy of Indulgences. The Pope, he said, was guilty of simony, and the greater part at least of the Anglican heresies were good and just beliefs. Ecclesiastics, as in England, ought to be stripped of their property, and Borthwick had tried to persuade the king to rob the Church. The canons and decrees of the Fathers were contrary to the law of God. He often said "that no religion should be observed, but simply destroyed and abolished, as now it is ruined in England." He desired "that all religion in the realm of Scotland should be simply and utterly done away with." In a later age, Swift argued that the total abolition of Christianity might conceivably be attended with inconvenient results. Borthwick, according to his accusers, had no such scruples. He possessed, among other suspected books, the New Testament printed in English, and works by Erasmus. He is therefore (in his absence) handed over to the secular arm, is forfeited, and is to be hanged in effigy.

In 1561 he appealed to the St Andrews reformed kirk-session, under Wynram, late Sub-prior, but now Superintendent of Fife. The new court, considering Borthwick's opinions, as alleged in 1540, "fynd the said artiklis racionabill . . . and not hereticall." This decision was given after hearing Borthwick's explanation of "certan generaliteis contenit into sum of the said artiklis." Such generalities as that no ecclesiastics ought to own property, or that all religion should be instantly abolished, were doubtless explained away by Borthwick, who was rehabilitated. Defending the study of the New Testament in English, he exclaimed, "O good God! . . . with what a filthy cankered stomach do these Roman swine note the New Testament with heresy!" The language is in the style of Knox, and the swine would have replied (had it been safe) that not the New Testament, but the English translation in Borthwick's hands, is "suspected of heresy and prohibited by papal and royal authority." The whole case is instructive and typical. As we shall see, the law of March 15, 1543, permitted the reading of "ane gude and trew translatioun" of Holy Scripture, but forbade just what Borthwick was accused of doing—"that na man despute or hald oppunyeonis."[36]

In May 1540 James circumnavigated Scotland, and seized Macleod, Mackay, Glengarry, Clanranald, and other chiefs as guests on compulsion. He settled some garrisons, and, in December, annexed the lordship of the Isles to the Crown. Earlier had occurred a strange event. James had made interest with the Pope for the banished heretic, James Hamilton, brother of the martyred Patrick. To Patrick's death Hamilton of Finnart, the murderer of Lennox, had, perhaps, been accessory. Sir James, despite his murder of Lennox, had since flourished in the king's favour. If we may believe Buchanan (fol. 172), the clergy wished James to confiscate the property of all heretics, and to appoint Hamilton of Finnart as their judge. But in August 1540 the brother of the martyr, also a Sir James Hamilton, got leave to return to Scotland, and accused his namesake of treason. We have no record of the trial; but the bastard of Arran, Sir James of Finnart, was executed. Kirkcaldy of Grange and Learmont of Dairsie, men of Protestant leanings, urged instant severity, as Buchanan informs us, while Thomas Erskine, a Catholic, was no less eager. From this day King James's mind is said (by the usual unfriendly Protestant authorities) to have become moody and suspicious, while he was haunted by phantasms. The deaths of his two infant sons (1541) would deepen his melancholy. He had annexed the Northern Isles and the forfeited estates of Sir James Hamilton, with many Douglas, Bothwell, and Evandale estates, to the Crown. The laws against heresy were strengthened, while James let his clergy see, for example by his presence at a satirical drama on their lives, by Sir David Lyndsay (1540), that he desired a reform within the Church. (See Appendix G, "The Tragedy of Finnart.")

In some respects affairs were prosperous. Parliament (1540), while strengthening the laws against heresy, had informed the clergy that their own loose and ignorant lives were the cause of a growing contempt. The institution of the College of Justice was ratified by the king: he had established it in 1532, on the model of the Parliament of Paris. The court sat in Edinburgh, being called The Fifteen; there were seven laymen, seven churchmen, with an ecclesiastical president. The Fifteen came to be "Paper Lords," and were divided into an Inner and Outer Court. James's power seemed to be consolidated, but in March 1541 the question of refugees of England in Scotland, and of Scottish rebels in England, became pressing. James drew a distinction between political offenders or

criminals and the "friars, priests, and other churchmen" who had fled from Henry. These he must leave to spiritual discipline. Their offence was not contemplated in the treaty of 1534. Henry denied this, and insisted that his heretics should be given up. On May 14, 1541, Wharton, writing about these matters, added news of the deaths of James's two boys, the second a mere infant. There was the inevitable rumour of poison. In July James sent Bellenden to argue the matter of the fugitive friars, but no agreement was come to. Sadleyr had been in Scotland again with an antipapal sermon from Henry, and a request for a meeting "near their borders."[37] On August 27, 1541, the English Council, writing to Bellenden, James's envoy, note James's wish to meet Henry.[38] But on September 2 Wharton wrote that he had espials in Scotland who could see no sign of any intention on James's part to travel into England. James had promised the Cardinal to do nothing before Beaton's return from a visit to France. Meanwhile Henry, relying on James's intention to meet him, had travelled to York. To York, whatever promises James may have made or hinted, he never went, and Border outrages occurred at the time of Henry's stay in that city. The English retaliated, and James (October 22, 1541) sent a mild answer to Henry, which did not mollify him.[39] James had just lost his mother (October 1541), whom few lamented. Both sides now sent in their accounts of injuries on the Border. On February 16, 1542, Henry wrote an angry letter about the postponed meeting, saying that James's envoy, Bellenden, first proposed it. But now, as it is plain that James can only meet Henry by consent of his nobles and of the French king (at this moment, it should be remembered, James was childless), Henry will be well pleased not to meet at all. This remark is in Henry's own hand on a draft of the despatch.

On August 22 Henry complained to James of a Scottish Warden's raid, "an absolutely unfounded charge."[40] Next day Henry ordered Norfolk with a great force to the Border. On the same day Sir William Eure wrote from Berwick that Sir Robert Bowes had not come good speed in a raid across the Border. Angus gives a description of this lawless enterprise. He himself rode with the English marauders of his country, 3000 men in all. But Huntly, with 1000 men of Teviotdale, came between two parties of the English and traitor Scots. The English Borderers fled with their spoil. Angus's company lost seventy men: "It was

not the Scots that won the field, but we that lost it by our own misorder." The English lost many prisoners of note in this affair of Hadden Rig, which was caused by an English raid, with no declaration of war, while James's ambassador, Learmonth of Dairsie, was in England to settle the disputes. James wrote on August 25, expressing his surprise and his desire for peace. Henry persisted in believing that Huntly had invaded England, and James, on September 1, sent documentary evidence that the English Warden of the Middle Marches had contrived the expedition into Scotland.[41] Norfolk, by Henry's orders, kept on preparing for war. Henry's demands were that the ambassadors of James should be met at York. Negotiations were not to be protracted beyond eleven days. The prisoners taken by Huntly at Hadden Rig were to be released or ransomed. The English refugees, churchmen or not, were to be handed over. James must stop encroachments on the Debatable Land, conclude an offensive and defensive alliance, and send pledges for the fulfilment of these points and for a meeting. Hostages, such as Arran, Huntly, and Argyll, were demanded.

The Scots, resisting this demand, said that James would come even to London, after which details might be discussed. Henry insisted that James must come immediately. On October 4 a Scottish herald arrived with James's promise to come, though his nobles forbade.[42] Angus reported the same news from his daughter. But, after some diplomatic haggling, Henry refused to listen to any proposals, and would not even declare war, but issued a mendacious proclamation averring that the Scottish kings had always done homage to England.[43] The audacious Henry posed before the world as the insulted suzerain, the outraged uncle. He had but lately horrified even his Council by proposing to them to kidnap James. The Council drew Henry's attention to the enormity of his plan, "the taking of the person of a king in his own realm, and by the subjects of his uncle, not being in enmity with him, but resting upon his answer and the sending of commissioners for all matters which have been in question between you, that, unless your Majesty had commanded us expressly to consider it, we would have been afraid to have thought upon such a matter touching a king's person." Besides, it would be very difficult, and the attempt would fail, or James would be slain in self-defence.[44] Henry, in fact, was an unscrupulous brigand. James's person and liberty would never have been safe in England, unless he accepted all Henry's proposals.

After Henry's absurd proclamation, his ill-equipped forces, sorely misdoubting when they should next see beer, marched across Tweed, and—killed some women.[45] They also distinguished themselves by wrecking Kelso Abbey, and, in fact, behaved like Galloway marauders: they retired in six days. James had mustered a large force in Edinburgh, but, when he reached Fala Moor (October 31), and it was known that the English had withdrawn, his nobles refused to make a counter invasion. It is said that Scott of Thirlestane alone was "Ready, aye Ready." Hence his motto, tressure, and sheaf of spears, now borne by Lord Napier and Ettrick. Many reasons are assigned for the mutiny of the nobles—in fact, the army had probably no supplies; some of them had no good will to their king; some may have been Protestants; above all, they remembered Flodden. According to Knox, James dissembled, and praised their prudence.[46] James retired to Edinburgh, and Knox says that Beaton gave him a scroll of heretics to be destroyed. The best contemporary authority is Sadleyr. On March 27, 1543, Sadleyr reports that James had a list of 360 heretics, beginning with Arran himself, who in six months from that date was as good a Catholic as such a man could be.[47] Knox adds that James put the scroll in his pocket, "where it remained to the day of his death, and then was found." It was the kind of document which a man is apt to carry about in his pocket.[48] James cannot have seriously contemplated such a *coup d'état*, which might have given pause to his ancestor, James I. Arran's stories are not to be accepted literally. His allies, as we shall show, admitted to Sadleyr that his genius was—mythopœic.

Now came the terrible and, hitherto, almost inexplicable disaster of Solway Moss. It is interesting to compare the brilliant description of Mr Froude (who paints over the canvas of Knox) with the plain contemporary report, which, when Mr Froude wrote, lay among the manuscript treasures of Longleat. It is a lesson on the picturesque method in history.

James, according to Mr Froude (who cites Knox), had broken with his nobles, and put the famous scroll, with the 360 names, in his pocket, where he still had it at his death. There it lay for weeks. The Cardinal and clergy were to supply him with means for a raid, "his own raid," on the west Marches.

Mr Froude writes, "The secret was scrupulously guarded. Letters were circulated privately among such of the nobles as were of un-

doubted orthodoxy," and among the retainers of the clergy.[49] Now, as Glencairn and Cassilis were heterodox, and were on this wicked scroll, and as Mr Froude has presently to record their capture at Solway Moss, all this theory of a secret muster confined to the true Catholics is absurd. Protestant as well as Catholic nobles were in James's raid. That raid, far from being a Catholic secret, had been publicly proclaimed at the crosses of several Scottish towns. After describing a "mob," the Scottish army, trooping out of Lochmaben in the dark, Mr Froude observes that "no hint of the approach of the Scots preceded them." Alas! Thomas Dacre had bought news of the raid from a Scot, for twenty nobles, two days before the attack occurred, and had informed the Warden, Wharton, "who did well prepare for the same."[50] Indeed, news had been sent by another spy as early as November 16. Moreover, on November 22, Hertford, at Alnwick, knew all about the raid and its exact point of attack, though, according to Mr Froude, the Scots army themselves knew nothing on November 23. Hertford communicated with Wharton at Carlisle, who, having his own intelligence, summoned the cavalry of the west Marches for the 23rd November. Sir George Douglas, Angus's brother, had given early information. Beacons were lit, the whole west Border was warned; the Scots, in two great bands, were known to be at Langholm and Morton Kirk with artillery. On the 23rd Wharton raided Middleby, eight miles across the Scottish Border. He then made all his preparations, left Carlisle next day at dawn, and sent out light horse to disturb the Scots, who were already burning the lands and houses of the Grahams. Wharton with his force watched them at Arthuret Howes, burning northward. He, with six standards, advanced in array, and the Scots moved forward, Wharton's men dismounting. As the Scots came within arrow-shot of Wharton, his cavalry charged on their right flank, their left leaning on a great morass. Unable to deploy for the straitness of the ground, the Scots began a slow retreat, till they reached Arthuret milldam, and were entangled between the Esk and the morass on their left, the English foot still advancing. Here the Border spears of England "gat them in a shake all the way," they scrambled across the milldam "more than in warlike haste," and a final charge drove them into the river and the morass, where 1200 men, including many nobles, were taken, with the artillery, and many were drowned. The English numbered about 2000,[51] and only lost seven men. James

lay the previous night at Lochmaben, and in the dawn watched the burning from Birrenswark, the old Roman camp. Such is Wharton's simple account.[52] Sir William Musgrave, who was with the cavalry, rates the English at 3000. He says that the Scottish gentry alighted to give battle, but that the multitude "withdrew at a soft pace homewards," were confused by the cavalry, and were drowned, the rest flying, incapable of resistance.[53] In fact, a disorderly Scottish raiding force, on its return, was firmly met by men prepared and well led; the raiders arrived at a strait pass with a river in front, and an impassable morass on the left, a panic arose, and all was over. The Scots were not defeated by chance driblets of farmers,[54] nor were the English a force of but 400 men at most. Nothing is said in English reports of the dismay caused by the appointment of Oliver Sinclair as commander, just when the fray began. The raid was not a secret of the Scottish clergy and of the Orthodox. All that is Knox's gossip,[55] "No man should be privy [to the raid] except the Council [the clergy] till the very day and execution thereof. The bishops gladly took the charge of that raid." Then, according to Knox, come in the tens and twenties of English farmers, no man being allowed to issue out of Carlisle! Such is Knox's narrative, with Biblical parallels. His moral is that Providence is Protestant, and so 400 casual men marvellously defeat an army of bishops' levies. See how a plain tale will put him down.

James was wellnigh crazed, says an English report, by the shame of this disaster. He went by slow stages, tarrying at Grange with the wife of his Treasurer, Kirkcaldy, says Knox, but making for Falkland, "that unhappy palace of his race," as a stricken beast makes for its lair. He merely abandoned his hold of life: the birth of a girl to wear the crown could not console him. Mary Stuart was born at Linlithgow on December 8. On December 14 her father died of a broken heart if ever man did. "It came with a lass, and it will go with a lass," he is said to have muttered when he heard of his daughter's birth. "Fie, fled Oliver!" he is reported to have crooned, in a kind of refrain. When at Grange, Kirkcaldy's house, he is said to have foretold that he would not see Christmas Day.

Knox apparently tries to insinuate that Beaton and Mary of Guise may have poisoned James, and that Mary of Guise was Beaton's mistress. His method is this, "At the first sight of the Cardinal she said, 'Welcome, my lord; is not the king dead?' What moved

her so to conjecture divers men are of divers judgments. Many whisper that of old his part was in the pot, and that the suspicion thereof caused him to be inhibit the queen's company. Howsoever it was before, it is plain that after the king's death, and during the Cardinal's life, he got his secret business sped of that gracious lady, either by day or by night." The reader may draw his own inferences as to the meaning of this passage from the works of the Christian reformer.[56] He should have spoken out, or held his peace.

So died James V., being little over thirty years of age. Surrounded by treachery from his cradle, tossed on the waves of every intrigue of that desperate age, perplexed in the impenetrable storm of old and new, stricken by shame, the deadliest of wounds, he let life slip from his languid hands, and was at rest. "If God send us the victory, Scotland is down; we may have it for the taking," wrote Angus's brother, Sir George Douglas.[57] He had helped, by revealing the plan of the raid, to put Scotland down.

NOTES TO CHAPTER XVI.

[1] There are difficulties about the dates of Lord William's missions: probably 1535-36. See State Papers, v. iv. 1, note, and compare the Hamilton Papers, i. 11, where James acknowledges the receipt of the Garter, February 1534-35.

[2] State Papers, iv. iv. 598, Northumberland to Henry, December 27, 1531.

[3] Hume Brown, p. 382.

[4] Hamilton Papers, i. 18-28.

[5] State Papers, v. iv. 11.

[6] See Diurnal of Occurrents, p. 19, where an English ambassador, "to infect this realm with heresy," is reported as coming in November 1535, after James had received the Garter in February.

[7] State Papers, v. iv. 19.

[8] January 14, 1535-36, Letters and Papers, viii. 48.

[9] Hamilton Papers, i. 29-33.

[10] Does he mean the Provincial Council or the King's Council?

[11] State Papers, v. iv. 36-38.

[12] Chapuys to Charles V., quoting the Scottish ambassador, April 21, 1536. Letters and Papers, x. 699.

[13] State Papers, v. iv. 39-41.

[14] State Papers, v. iv. 44, 45.

[15] Letters and Papers, xii. i. 399.

[16] Of course it is omitted by Mr Froude.

[17] Froude, iv. 39.

[18] Letters and Papers, x. 1229.

[19] *σῇσιν ἀτασθαλιῇσιν ὑπέρμορον ἄλγε' ἔχονται.*

[20] The letter is published in Pinkerton's Appendix.

[21] L. and P., xii. i. 53.

[22] Faenza to Ambrogio, January 14, 1537, L. and P. xii. i. 88.

[23] L. and P., xii. i. 333.

[24] "Cet animal est très méchant,
Quand on l'attaque, il se défend."

[25] Cumberland to Norfolk, L. and P., xii. i. 703.

[26] Froude, iv. 46. [27] L. and P., xii. i. 1286.

[28] He was finally exiled for conniving at a forgery, and the circumstances assuredly looked awkward.

[29] They are extracted in Pitcairn, i. 191-198. Mr Tytler, while citing Pitcairn, varies from his dates, making Glamis die on August 8, 1528. Pitcairn (i. 188) speaks of Angus's "violent and openly treasonable conduct," yet (p. 189) represents him as "oppressed" by "Royal tyranny."

[30] Pitcairn, i. 203.

[31] Castillon to Francis I., December 30, London. Letters and Papers, xii. ii. 1285.

[32] Pitcairn, i. 211-216, citing Calderwood.

[33] State Papers, v. iv. 148. February 5, 1539.

[34] Norfolk from Berwick. State Papers, v. iv. 155.

[35] Sadler Papers, i. 48, note. It was not at this date, as might be inferred from Mr Hume Brown (p. 389), that Sadleyr reported Arran's tale concerning a list of 360 nobles and barons to be forfeited.

[36] Register of St Andrews Kirk-Session, D. Hay Fleming, i. 89-104; Act. Parl., ii. 415.

[37] Sadler Papers, i. 55. [38] Hamilton Papers, i. 97.

[39] Hamilton Papers, i. 112.

[40] Hamilton Papers, i. xxiii. 155.

[41] Hamilton Papers, i. 171.

[42] Chapuys, Oct. 2, says, on Henry's evidence, that James refused to come till his child was born. Spanish Papers, vi. ii. 144.

[43] Froude, iv. 184. [44] State Papers, v. iv. 204.

[45] Eure to Suffolk, Hamilton Papers, i. 287.

[46] Tytler quotes a letter of John Car to Norfolk, November 1, according to which he entreated and stormed. Compare Knox, i. 80.

[47] Sadler Papers, i. 94. [48] Knox, i. 84.

[49] Froude, iv. 189. [50] Hamilton Papers, i. 325.

[51] Chapuys says 4000, with 700 or 800 horse. Spanish Papers, vi. ii. 221.

[52] Hamilton Papers, i. lxxxiii-lxxxvi. It is indorsed, "Thought not true Report."

[53] Hamilton Papers, i. 307-309. [54] Froude.

[55] Knox, i. 84. [56] Knox, i. 92. [57] Hamilton Papers, i. 338.

Solway Moss.

The best narrative of Solway Moss is, of course, that given in the English despatches. But the Venetian secretary in England, Zuccato, had a curious tale for the ears of the Chiefs of the Ten (December 16, 1542). He has learned, in great secrecy, from a person who obtains very early intelligence, that Maxwell, as a Lutheran, "was the sole cause of the rout of the Scots. On observing the English advance, Maxwell galloped, with other nobles, to the rear: he said to array the troops. The rear then fled, Maxwell killed three or four of them, rode to the front, and was taken." This conduct showed either treachery or great military inexperience. (State Papers, Venetian, 1542, p. 116.)

CHAPTER XVII.

THE TRAGEDY OF THE CARDINAL.

THE history of Scotland in the four eventful years that followed the death of James V. is the tale of one man's battle with destiny—the "Tragedy of the Cardinal." On Beaton's death or life hung the victory of the Old or the New. Who was to take up the power that fell from the hands of James? Scotland could not be ruled by a babe, or a foreign queen-mother. Many of her nobles were prisoners in England. They were to return, some of them, as the hired instruments of the ambition of Henry VIII.; and the problem stood, Was Henry, with or without the aid of an infant marriage between the Prince of Wales and Mary Stuart, to succeed in the project of Edward I., and in the scheme of Union which was baffled by the death of the Maid of Norway?

Scotland had welcomed the marriage proposals of Edward I., but two centuries and more of war had taught her distrust of England. Now, moreover, what had seemed simple, in the time of Edward I., was complex. The two nations were of different creeds. England had been forced into the Reformation, as Henry understood it, and her Church had Henry for Pope. Scotland remained officially faithful to Rome. Many of the upper classes, and even of the people, were attached to the new ideas, but not as they were understood by Henry. The most Protestant intellects of Scotland, as time went on, could not heartily welcome a creed in which the Royal took the place of the Papal Supremacy. Had James V. listened to his uncle, it is clear that Scotland would not at first have been Presbyterian. But he did not listen, and after his death the Scottish party in favour of union with England would probably have been content, for the time, with a free Bible, freedom of preaching, and the sequestration of the goods of the religious

orders. They had not yet formulated, or accepted, a new scheme of Church government, and with many of the leaders the plunder of the Church, and the "wages" drawn from Henry, were the leading motives.

This was especially the case with Angus and his brother, Sir George Douglas, when they were restored to their estates and position. These men, and the Reformers of every shade, found an insuperable obstacle in Cardinal Beaton. He resisted the ambition of Henry VIII., carrying on the policy of Bishop Kennedy, and of Lamberton, and Frazer, and the other prelates who backed Wallace and Bruce in the War of Independence. His motives, of course, were no more purely sentimental than those of Bishop Kennedy or other politicians. Beaton was a great ecclesiastic of the Renaissance: he may have been as sceptical as many of his peers. In fighting for the Church, and against England, he was "fighting for his own hand," for wealth and power,—his own and that of the clergy. He had on his side the still unsubdued national passion of the majority of the populace; he had Mary of Guise, he had wealth, he had tradition, and he enjoyed whatever advantage might come from the French alliance. Against him were the utterly unscrupulous ambition of Henry; the wealth and arms of England; the hired partisans of England among the nobles, and the rapid spread of the new ideas. In resisting all these he displayed unrivalled tenacity, great political courage (though his personal bravery has been impeached), with much craft and subtlety, it is to be feared with entire ruthlessness, and with unwearying resolution. He was actually successful in the unequal contest, and yielded at last only to that ultimate argument, the dagger. Beaton was no saint; he lived in open relations with Marioun or Mariotte Ogilvy (a lady of the House of Airlie), by whom he had a family. His wealth was unapostolic. He rarely appears as a patron of learning,—the times were too confused. He put into force the laws of the land against heresy, just as More did, and as Henry himself was doing, though in some respects with less cruelty. In brief, he was a great ecclesiastical statesman of the time, but to call him (as some do) "the infamous Beaton" is to show a lack of the historical sense, and blindness to historical perspective.

James died, as we saw, on December 14, 1542. What occurred in the death-chamber, when the king had turned his face to the wall, will never be precisely known. On Tuesday, December 19,

the Cardinal, Arran, Argyll, Huntly, and Moray were proclaimed at Edinburgh Cross as Regents, the Cardinal himself being present. Was any real or forged will of James produced? Our earliest informant, Lord Lisle, announcing the fact to Henry, from the Border where he was Warden, says nothing about a will.[1] On December 30, Lisle sent to Henry what Scottish news he could gather from a chaplain of Sir John Heron's. This man carried verbal messages from Arran. Lisle reports them thus: "Saing, Tell hym that the Cardynall who was wth the Kinge at his depting, and in whose armes he died, hath Tolde to the Counsaill many Thinges in the Kinges name, whiche he thinkith ys all Lyes and so wyll prove."[2] Here Arran says nothing of the production by Beaton of a will, forged or not, of the king's, and the "lyes" attributed by Arran to the Cardinal may refer to a rumour, said to be circulated by him, that James desired the recall of the Douglases. On January 5, Lisle reported a conversation with Archibald Douglas, who had been in Scotland. He asked Douglas, "Who rules now in Scotland?" Douglas replied that, when the king had no longer "perfect reason," the Cardinal asked him "whether he would have the Earls of Arran, Moray, Argyll, and Huntly to rule the realm for his daughter. Whereunto he [Douglas] said the king made no answer, albeit the Cardinal reported otherwise."[3] This is the evidence of one of the hostile House of Douglas, and, of course, is mere hearsay. But, far from there being any word of a forged will proclaimed by the Cardinal on December 19, he is not even said to have suggested his own presence on the board of Regents. Douglas says that Beaton lied by pretending to have received an answer, whereas he received none; but what the alleged answer was Douglas does not report. Now, if Beaton publicly proclaimed a forged will on December 19, how could that fact have failed to reach Douglas's ears by January 5? And if it did reach him, what motive could he have for concealing the crime?[4] If Arran, then, knew that Beaton was a criminal of the darkest dye, he did not mention it at the time, as far as we learn. Here the argument from silence is valid, because the proclamation of a will (alleged later by Knox) would be matter of public knowledge. Yet nothing is said of it.

Moreover, Arran now displaced the Archbishop of Glasgow from the Chancellorship, and superseded him by Beaton.[5] Men do not supplant archbishops in the interest of those whom they reckon forgers. The position as between Arran and the Cardinal, at the

time when Arran took the Regency (about December 26–January 3) and in the next few weeks, may be studied in the despatches of the Imperial ambassador in England. This gentleman, Chapuys, had the usual diplomatic sources of information, and, owing to the relations between the Emperor and France, was by no means prejudiced in favour of Scotland (the ally of France) or of the Cardinal. On January 15, 1543, he noted (what we must never forget) that Henry VIII.'s plan was "to get at the Crown of Scotland," and that nobody but the Cardinal was likely to thwart him, as both Gardiner and Thirlby declared. "The Cardinal is all powerful in Scotland," says Chapuys; compliments to his administration follow. To secure himself "he took care that King James, before his death, should appoint as governor and tutor to his daughter a first cousin," Arran, who "is half an idiot," and of doubtful legitimacy. On January 17 Chapuys reports ill-feeling between Beaton and Arran, because "the Cardinal *affirms* that the king, before he died, appointed him with three other noblemen to be governors of the kingdom, which *affirmation* the Count [Arran] considers to be false, owing to no other person but the Cardinal having spoken about it." The verbal affirmation had been flatly contradicted, and Arran, on hearing of it, had menacingly clapped his hand on his sword-hilt.[6] The Cardinal, to revenge this insult, will try to bring over M. de Guise, or some other French noble, as Governor of Scotland.[7] Here, again, is no hint of a forged will: the Cardinal is accused of inventing, or misrepresenting, the last whisper, heard by himself alone, perhaps, of the dying king. Despite this quarrel, and probably by way of a compromise, the feeble Arran made Beaton Chancellor. Had Beaton, as Knox avers, publicly proclaimed a royal will, and had that will been set aside as forged, it seems impossible that nothing should have reached us about such a public scandal in the letters of the day.

Whence, then, and when, arose the disgraceful charge of forgery? Probably it was a contrivance of the English party in Scotland; but to show this, it is necessary to return to the affairs of the nobles who were captured at Solway Moss. On December 20, Maxwell and the others were lodged in the Tower; next day, on parole, they were billeted on the English nobles. Then came news of James's death, while the infant Mary was falsely said to have died. Henry resolved to send the prisoners home, to work in his interests.

He entertained them on Christmas Day, allowing them to wear sword and dirk. He presented them with gold chains, money, and horses. On December 26 (luckily for him, as he escaped taking the oaths administered to the Scots who dallied), George Douglas left for Scotland. The others started on December 29 (Henry not yet knowing that Arran was Regent), under promise of returning before Easter, or sending hostages, while they were to try to promote Henry's accession to the Crown.[8] Later (November 12, 1543), Henry wrote to Lisle, "They have not sticked to take upon them to set the crown of Scotland on our head." Now Henry himself wrote to Lisle on January 9. He bids him proclaim that he will admit to his peace any Borderers who will aid him in getting Mary's person and "the government of that realm into our hands." Southwell is to "feel the opinions" of the returning prisoners, then at Darnton. The sole object is to get "the child, the person of the Cardinal, and of such as be chief hindrances to our purpose, and also of the chief holds and fortresses, into our hands."[9] Nothing can be more candid. Henry does not veil his purpose and practice—naked robbery. The prisoners arrived at Darnton, whence Cassilis wrote to Henry. They had met Angus and Southwell, he said, and discussed Henry's desires. On January 8, Henry had written to Lisle, having heard, to his chagrin, that Arran is Governor, and is to be king if Mary dies. Any form of national union in Scotland, even under Arran, was terrible to Henry. He doubts whether in these new circumstances the prisoners will be able, without aid, to keep their "promises made unto us," as concerning Mary, the Cardinal, and the fortresses: it is for this reason that Southwell is to confer with them. They have "all condescended and agreed to an article subscribed by their hands" to abet Henry in the objects desired. By a secret article, Cassilis, Glencairn, Maxwell, Fleming, Somerville, Grey, Robert Erskine, Oliver Sinclair, Craigie, and "Kerse," have vowed that, if Mary dies, Henry shall be king. Bothwell does not know this, and is not to know it. Angus is to be induced to sign the secret article. The news just arrived of "an uniform unity in the rest of Scotland" to support Arran is highly unpalatable to Henry. Henry bids the prisoners consult as to how they may best bear themselves—whether to seize Beaton, or Arran, or Mary and the castles: Henry will supply thousands of horse if necessary. All these matters were consulted on by the prisoners at Darnton. They thought they had better all enter Scotland together, not in small

parties. They would try to bring Arran to Henry's commands. If he was recalcitrant, they would act at Henry's pleasure. They would place his ideas before the Lords: if unfavourably received they would send for Henry's 4000 horse. As to the castles, they would do their best to betray them to England. They did not approve of Henry's proposed open proclamation to the Borderers, inviting into his peace all who would back his quarrel. Angus and Bothwell sign this reply with others, but not Sinclair.

It is plain that the prisoners won their liberty by disgraceful treason, and that, as soon as they heard at Darnton of Henry's news of Arran's appointment, they began to be colder in the English interest, foreseeing their difficulties. George Douglas, we saw, left London for Scotland three days before the prisoners, and had not set his hand to the discreditable articles. By January 21 he came to Lisle with an account of Scottish affairs. He had first seen Arran, and then met Beaton and the rest of the Council. After debate the Council restored the Douglases to their lands, "trusting they would be true gentlemen to their native country," a thing to them clean impossible. The Cardinal sighed on hearing of Douglas's Protestant leanings, but offered friendship, hinted at a ready 20,000 crowns, and then went and reminded Arran of the Hamilton-Douglas blood-feud: all of which Arran, in turn, revealed to Sir George. Arran and Douglas then agreed that, as soon as Angus came home, they would lay hands on the Cardinal, and send him to Henry. Douglas did not conceal his anger against his brother Angus for signing the articles. They were known in Scotland, and the prisoners were therefore in danger of their lives—especially Angus, who could not plead constraint as a prisoner. However, "they will have the Cardinal by the back within ten or twelve days." By January 28 they had the Cardinal by the back: he was arrested at Council in the Palace, to the great alarm of the queen. Angus told her that he was "a false trumping carle, that should answer to certain points that he had played."[10]

The Cardinal was "had by the back," but upon what "points"? In fact no charges were ever publicly produced. Hints of a "secret *dossier*" crept out, but certain events have taught us the value of a secret *dossier*, and of documents forged by accusers.[11]

In truth the Scottish party purchased by Henry had already broken into fragments. Douglas, who knew his countrymen, saw that it was impossible to seize Scotland by a *coup de main*. The

clergy, the populace, and such princes as Moray, Huntly, and Argyll, were to be reckoned with, while any violence would throw Scotland into the arms of France. Douglas therefore detached his brother Angus from the prisoners who had signed the articles; he ingratiated himself with Arran; he threw out hints for an embassy to England, of which he himself should be part, and he induced Arran to summon Parliament for March 12. This step he kept secret from Henry. The prisoners, meanwhile, distrusted each other. Sinclair and Craigie probably returned to their old allegiance; Bothwell (who had not been a prisoner but an exile) inclined towards Arran. Douglas did not even inform Henry of the meeting of Parliament: when asked why, he said that he "forgot." He promised to send the Cardinal to the Douglas castle of Tantallon, on a perpendicular cliff above the North Sea; but he demurred when invited to hand him over to Henry. He admitted, too, that Guise had been given leave to land with twenty-four men, but promised that leave should be withdrawn.[12]

Thus, in place of a united party of bought Scots, Henry had to reckon with a divided clique of traitors on one hand, and, on the other, with a kind of national union. For years he had no better tools, and was paying wages to a set of men whom nobody could trust. Meanwhile, in seizing the Cardinal, the Douglases and Arran had caught a Tartar. Hand him over to England they dared not. "They can cause no priest in Scotland to sing Mass since the Cardinal was taken, neither to christen nor bury," says Lisle. If Beaton was to be legally put out of the way, then some sort of charges against him must be proved in public. The Douglases were not men to stick at a trifle. Now, at last, on February 12, we hear from the Imperial ambassador the first mention of James's will. He says that, according to the Cardinal's statement, Moray, Huntly, and Argyll were "named in the king's will." On March 17 he writes that the Cardinal is now in closer confinement, "on the charge of having forged a certain will of the king, who died intestate"; and of suggesting to him to execute 150 gentlemen as Lutherans (not 360), and for misappropriating the king's money.[13] The Scottish Parliament had met on March 12, yet no charge was brought against the Cardinal. But vague endeavours at finding a charge are to be detected. Thomas Erskine had been dismissed from the post of secretary, to Henry's delight. But, on March 13, he informed

Sadleyr, his new ambassador to Scotland, that Erskine, as he learned, was trying to recover his post "by allegation that he is able to charge the Cardinal with sundry things. . . . And as to the matters to be laid to the Cardinal, if he have no such, they may see that he would but deceive them for his own purpose; and if he have any such indeed, why should he not be forced to declare them?"[14] All this looks as if the Cardinal's *dossier* was bare of incriminating evidence, welcome as it would have been. We see invented charges growing under our eyes, while Beaton is a prisoner. There is the forged will—nay, there are *two* forged wills. There is the list of 360 or 150 gentlemen proscribed. That list was never produced.

In Scotland, during February, Argyll, Moray, and Huntly had been stirring in the Cardinal's interest, and against the licensing of the sale of Bibles in English. Lisle was eager that Arran should "let slip the Bible" among the people; and Arran himself talked about "the Word" in an edifying way, and unleashed a Protestant Dominican preacher whom the people were anxious to lynch. In the week before March 12, Huntly, Argyll, Bothwell, Moray, and many lords and bishops, held a convention at Perth. They urged Arran to liberate the Cardinal, and not to license the Bible. They also opposed the ambassadors, Balnevis, Learmonth, and Hamilton, who, it had been arranged, should visit England with proposals as to Mary's marriage to the Prince of Wales: while the return of the prisoners had been deferred. Arran refused their requests, threatening force if they did not attend Parliament. They lost heart and came in.[15]

A very full Parliament assembled. Arran was recognised; the Scottish ambassadors already mentioned received instructions as to treating with Henry about Mary's marriage to his son. Their orders, as will be seen, were not likely to please Henry. Mary was not to be sent to England till she was ten years of age. No fortresses were to be given up. Scotland was to retain her independence; and, whether Mary had issue or not, was to be governed by a chosen native ruler; in case of failure of issue, the next heir was to succeed.[16] The Douglases were formally restored; a council of nobles was appointed to be keepers of Mary at Linlithgow: and, on Maxwell's motion, opposed by the Archbishop of Glasgow, the English or Scottish Bible was allowed to circulate, but discussion of the Scripture was forbidden. Sadleyr arrived as Henry's agent in Edin-

burgh on March 18. Parliament was already prorogued; the Scots had hurried matters to evade his presence, and Sir George Douglas assured him that the English party had done their uttermost. If they aimed at reducing Arran, and subduing Scotland to England, "there is not so little a boy but he will hurl stones against it; the wives will come out with their distaffs, and the commons universally will rather die in it." Henry must be patient, and trust to "the union of hearts." Sadleyr got no better comfort from Henry's friends. On March 22 he visited Mary of Guise at Linlithgow, and saw the baby queen naked, a fine healthy child. Mary of Guise now pretended that Beaton, if released, would favour Henry; she even professed her own desire to have the child sent south, lest Arran should marry her to his son. But, she said, she would prevaricate with Arran, so that Sadleyr was puzzled. And then, behold, Douglas told Sadleyr that Beaton had been taken out of Blackness and sent to his own castle of St Andrews, Arran hoping thereby to secure the castle and treasure.[17] The Cardinal was a free man (March 22).

What caused this revolution? Months later, in September, Parr wrote to Suffolk from Warkworth. He had heard the Cardinal's tale, as told by him to Sandy Pringle, a spy. Five days after he was imprisoned (that is, on February 1, 1543), the Cardinal (so he told Pringle) gave George Douglas four hundred crowns. Thus he bought his transference to Lord Seton's house, Blackness, and Douglas, with Seton, devised a plan for his release on a consideration involving two marriages for Seton's daughters. Then Beaton was allowed to go to St Andrews, on the bond of four lords, one of them being Seton, that he would not leave the place without Arran's permission. "And thereupon George Douglas and the Laird of Grange rode to St Andrews and released him of that bond," Douglas alleging that, if he did not, somebody else would.[18] Such were Scottish morals, and the value of accusations made by men like Douglas is obvious. It was on March 27 that Arran told Sadleyr the fable about 360 proscribed Protestants. He did so to persuade Sadleyr that, if he let Beaton go free, he himself was "in danger of the fire"! Therefore *he* was guiltless of a share in Beaton's escape.

The strongest evidence for the Cardinal's forgery is a statement made by Arran to Sadleyr, on April 12, that Beaton "did counterfeit the late king's testament; and when the king was even almost dead he took his hand in his and so caused him to subscribe a blank paper."[19] And what did Beaton do with the paper? If he ever

produced it as evidence of James's will, nobody, as we have seen, mentioned the circumstance at the time. A cloud of later witnesses —Lindsay, Knox, Buchanan, Melville, Lesley—add nothing to the evidence, which relies, in the last resort, on Arran's word; and why did Arran keep silence on the subject at the moment, and make Beaton Chancellor? The evidence of his speech to Sadleyr could not weigh with a jury in face of his previous silence and his appointment of the Cardinal to the Seals. Buchanan adds that Beaton bribed Henry Balfour, a mercenary priest, and that the two forged a will for James. Now, among the papers of the House of Hamilton is a notarial instrument of December 14, 1542, signed by Henry Balfour, and purporting to be drawn up at Beaton's instance. James constitutes Beaton, Moray, Huntly, and Argyll governors (*not* including Arran, as Buchanan alleges).[20] This instrument, unsigned by the dead or living hand of James, obviously does not tally with Arran's story to Sadleyr about a will signed by the king's dead hand. Neither is it a document on which the charge of a kingdom could be allowed to pass. Not being an idiot, Beaton must have known that fact. Then what is the document? It may as well have come from the men who were seeking matter against Beaton, as we have seen, as from Beaton himself. Human wickedness was and is capable of forging documents to be used against innocent men. Far from confirming Arran's story told to Sadleyr, the document rather throws doubt upon that statement. It is unsealed; and we are to suppose that Beaton expected a kingdom to pass on the sole strength of a notarial signature by a man (says an indorsement in a bold hand) who was not even a notary! Such is the highly suspicious contemporary evidence for what Mr Froude calls "an impudent forgery" by Beaton. The impudence was probably on the side of the accusers, who never dared to make an open charge. Their one, or two, forged wills, their list of the proscribed (found in the dead king's pocket), were "matter" enough. But they proved too much, hence they were never produced in Court. Arran dealt in myth, as his very allies later warned Sadleyr. By May 10 this Protestant was writing to the Pope, and professing his singular zeal for the Holy See![21]

This affair has been dealt with in detail, both because it affects Beaton's character and because it illustrates the utterly unscrupulous perfidy of the politicians of the day. The rest of the confused party strife must be more broadly sketched. Traitor as he was, Sir

George Douglas had baffled Henry, and had gained time. In place of swooping on the Scottish crown, Henry must now delay and negotiate. So much was won. . Henry had offered Arran the hand of the Princess Elizabeth for his son, but Arran had not thus been purchased. Presently his wavering mind began to be swayed by his illegitimate brother, the Abbot of Paisley, later Archbishop Hamilton, who was newly arrived from France. By April 19 he ruled the Governor, Sadleyr said, and Arran's Protestant Dominican, with another favoured evangelist named John Rough, were soon cast adrift. Knox has to bewail Arran's lapse from the truth, but he still professed hatred of Beaton. Meanwhile Fate was weaving the darkest thread into the life-web of the unconscious child-queen of Scotland. By April 6 Sadleyr reported the arrival of Lennox from France—Lennox who, failing Arran, was next heir to the Crown. He was destined to be the father of Darnley, the husband of Mary Stuart. His castle was Dumbarton, the key of Scotland to French entry from the west. Here was a new entanglement of the diplomatic threads. Lennox might marry the queen-dowager; he might aid the Cardinal and the French party. He was a strong card in Beaton's hand, as against Arran, whose legitimacy might be disputed. Lennox refused to set seal to Arran's appointment as Governor; and the Cardinal had declined to leave St Andrews and risk himself in Edinburgh when summoned. Henry, as usual, desired the capture of both the Cardinal and Lennox. These confusions were to end in Lennox's joining the English party: till July he was only a source of bewilderment. As for Beaton, Henry (May 1) endeavoured to bribe him with the prize of a richer bishopric than that of Mirepoix, which he held in France.[22]

Meanwhile the affairs of the Scottish ambassadors in London fared ill: the Scottish terms were far below what Henry desired, and Sir George Douglas visited the king, as he had for months been anxious to do. The diplomacy of Douglas was not ineffectual. He was given a Memorial, with which he arrived in Edinburgh on May 28. Henry, in this document, demanded the delivery of Mary's person, at the age of ten at furthest. Hostages were to be given: Henry was to appoint English persons to be with her. She was to marry Edward when she reached the age of twelve. Peace was to be ratified. The prisoners, when all was settled, might trust to Henry's honour. The instructions of the Scottish ambassadors were to be revoked. These terms, with certain additions in case of

Edward's death, were accepted by Arran's party. But all this did not mean peace. The Cardinal and his party were making warlike preparations: the clergy met and offered their plate in the national cause, while Arran was "universally" regarded, says Sadleyr, as one who sold the country to England. Yet Beaton kept offering fair words, as if he was well disposed to the treaty; while Henry, no less inconsistently, offered Arran an aid of 5000 men, and the kingdom north of Forth, with Elizabeth's hand for his son, if only Mary was at once placed in his keeping. Arran preferred £5000 to 5000 men, and hinted that his lands lay south, not north of the Forth: the bribe, in fact, was not to his mind. There were constant rumours of a fleet from France, which, sadly battered by English cruisers, did, in part, reach the Firth. On the other hand, Lennox was said to desire to wed the daughter of Angus, and so was an insecure ally of the Cardinal.

Sadleyr was absolutely perplexed. Two things were plain: Arran was a reed shaken of the wind, and the Cardinal's was the popular party.[23] Moreover, the gatherings of the national faction made Mary's residence at Linlithgow unsafe. The nationalists, perhaps, were aware of a secret and treacherous "device," signed (July 1) by Angus, Maxwell, and others. In the event of commotions they are to secure for Henry "at least the dominion on this side the Frith." On July 21, the original ambassadors, Learmonth, Balnevis, and others, returned to Edinburgh from London, accompanied, it seems, by George Wishart, later martyred. On July 26, the Cardinal's party carried Mary off to Stirling; after which they professed readiness to agree to the English treaty, if Arran would meet them at Stirling. Never was more embroiled diplomacy, nor can the real motives even now be ascertained. It looks much as if the Cardinal's party meant to trepan Arran, and themselves dreaded a trap. On July 28, Sadleyr explains this: Arran has told him that, while offering (what he declines) a meeting at Stirling, the Cardinal's party, through Huntly, try to bribe him to come over to them, with the offer of Mary's marriage for his son. But Glencairn and Maxwell say that Arran is lying about this, to win credit with Henry. Such was their opinion of Arran's veracity, on which rest the story of the forged will, and the story of 360 proscribed Protestants![24] The Cardinal dared not go to Edinburgh, for fear of "such as had secretly conspired his death." Committees of seven gentlemen from each party

therefore met at Linlithgow: Sir George Douglas was not present; but Arran was represented strangely by his brother (the Abbot of Paisley), by Cassilis and Glencairn, by two of the original ambassadors of the year, Henry Balnevis and Learmonth, later on the Left of the Protestant party, and three others. The treaty was read and accepted by both groups. Arran was to give hostages for its observation, or, if time failed, he and his party might ratify the treaty without the presence of the Cardinal's adherents. Nevertheless, Arran asked Henry to prorogue the date of ratification to the last of September, when he hoped to hold a full Parliament of the Three Estates. Sadleyr thought Arran's request honest, but misdoubted the Cardinal, as did Douglas, who yet advised the delay in the ratification (August 5). Sadleyr assured Arran that, if Mary was abducted by the Cardinal, Henry would make him king north of Forth. Arran pressed for the £5000, and was exasperated against Beaton on Sadleyr's showing him a secret "band" of the opposite party, procured for him by a spy who, probably, was Brunston, later notorious.[25] The "band" set forth the danger of "being subdued to our old enemies of England," and of the seizure by Henry of Mary. The Cardinal's party is therefore bound to self-defence. This band was executed on July 24, at Linlithgow, and, therefore, was prior to Mary's conveyance to Stirling. Lennox signed. Almost all the names are those of families which were Jacobite in later times.[26]

Henry, in reply to Sadleyr (August 10), insisted on the ratification of treaty by August 20-24, whether the Cardinal's party were present or not. Next (August 16), he made the error of seizing six Scottish merchant ships, whence the Scots had, and used, a pretext of quarrel. On August 17, Sadleyr reported a conversation between Beaton and Sir George Douglas. Beaton was all in favour of peace, and himself desired to go abroad and live quietly, distrusting his own "loose company." He frankly admitted that he had acted solely in fear of the probable robbery of the Church. For dread of his own party's anger he dared not meet Arran, but bade him ratify the treaty, none the less. At St Andrews he would gladly meet the Governor.[27] Henry replied distrustfully. Arran, he said, should have kidnapped the Cardinal at Linlithgow.[28] On August 25, Sadleyr reported the solemn ratification of the treaties at Holyrood, in the absence of, but with the assent of, the Cardinal's party. Arran desired the release of the six Scottish ships: if this be not granted,

the whole realm will rise on him, he says—which it did. Meanwhile Arran is going to St Andrews to meet the Cardinal.[29] That errand sped ill. Beaton would not leave the castle to meet Arran, and (August 28) was proclaimed a traitor. But Beaton (neglecting a compact with Arran to the opposite effect) had his party mobilised, while Arran could not move at once. Civil war, and Henry's opportunity, seemed imminent. But Douglas (September 1) feared that Arran, in sheer weakness, would "revolt" to the Cardinal. Moreover (says Sadleyr), the Scottish people "live here in such beastly liberty" that they are up in arms about the detention of the ships, and Sadleyr is in personal danger.

Then occurred an extraordinary revolution, and the last wavering of Arran. On September 3 he rode suddenly out of Edinburgh, while some of his retinue tried to sack the Grey Friars, but were repulsed by the populace. This raid, to which Arran was a party, may have been part of a concerted scheme. In Dundee, whither the celebrated George Wishart had probably repaired after returning into Scotland with Learmonth and Balnevis in July, the rabble sacked the Black and Grey Friars. As Dr Lorimer, a thoroughly Protestant authority, writes, "in all probability it was the preaching of Wishart in Dundee which *led to a popular demonstration*." By September 5 Sadleyr reported a rumour, held generally to be true, that Grey (one of the Solway prisoners) and Ogilvy "have sacked the Cardinal's Abbey of Arbroath," and are using artillery.[30] "Good Christians," so called, have sacked Lindores Abbey.[31] The meaning of all this is plain. Beaton (since August 28) was "at the horn" proclaimed traitor, and Protestant robbery might safely begin. The Good Christians reckoned without their host. Arran had given orders for plunder, but, moved by what cause we know not (perhaps by his brother or by doubts of Lennox as a tool of the Cardinal's, and as likely to take his place as next heir of the crown), had fled on September 3 to the arms of Beaton. No longer a proscribed leader of "a loose company," the Cardinal now had the Governor, the queen, and the popular sentiment at his back, while Good Christians must await a more favourable occasion for the exercise of their virtues.

In the game of force and fraud which both parties played, the Cardinal had won the first rubber. It is unfortunate that, by virtue of the literary merits of Mr Froude's history, the fraud will seem to English readers to have lain wholly on the side of Beaton.

Henry had tried all that bribery, corruption, and deceit could do to trepan Mary, Arran, and the Cardinal, and to gain the castles. Arran had announced to Henry, on August 25, the ratification of the treaty. Henry's very next move, peace being apparently secured, was to organise and victual an army of 16,000 or 20,000 to enter Scotland and take over the castles, "or work any other exploit there as his Majesty upon occasion shall think convenient"[32] (August 29)! In face of so false a prince any diplomatic wile was legitimate.

Event now followed hard on event. Arran recanted his theological errors; Mary was crowned at Stirling (September 9); the Legate landed in Scotland; the Cardinal's party met in Edinburgh. Henry fumed and would do great things. Angus might seize the Cardinal; Suffolk might dash on Edinburgh with 8000 horse and burn the town. There were difficulties: some Suffolk explained; others were clear to the Douglases. The Edinburgh meeting broke up: Beaton entertained the queen-mother at St Andrews, and scandal such as Knox loved was busy, Sadleyr says, with her name.

But there was a weak point in the Cardinal's policy. He could not keep both Arran and Lennox, so Lennox, mindful of his second chance (a wedding with Angus's daughter, Henry's niece), went over to the English faction. French vessels, with the Legate (Grimani) and money, had landed at Dumbarton, the hold of Lennox, who was thought a sound partisan. But he had turned his coat. With Glencairn, a resolute Anglophile, Lennox hurried to Dumbarton. The French, of course, did not know that Lennox had turned his coat, and, by Henry's orders, Lennox obtained the French money for Henry's service. The Angus faction now awaited events in their own country houses, and as Sadleyr was not safe in Edinburgh, he took refuge in Douglas's castle of Tantallon. Lennox was showing signs of returning to the national party: if he had secured the French gold for himself, he probably thought it as good as any reward to be obtained from Henry. But the Cardinal, having secured Arran, compelled him to act. He seized Dalkeith and Pinkie, houses of the Douglases. He had captured Somerville carrying treasonous letters from the Anglophile lords to Henry, as Sadleyr writes on the report of the Master of Morton (later the infamous Regent Morton, and already, as a Douglas, of the anti-national faction). For these domestic measures the Cardinal had leisure in the early winter.

The attitude of Henry had been such as the historic muse cannot contemplate with dignity. He was like the giant in the fairy tale, ever beguiled by cunning little men. If he had been honest and fair, we might agree with Mr Froude's denunciation of Scottish perfidy. But the bluff Hal had not been fair and honest. Let us review his diplomacy. In December he extracted the "articles" from the Solway prisoners in London. He had alleged that Scotland's was a vassal crown; now he meant to seize it. The prisoners, in the anarchy following James's death, were to give him Mary and the castles. Then came news of union under Arran, so Arran was to be kidnapped. The prisoners at Darnton hear of Arran's regency, and begin to qualify their promises. They return to Scotland, and George Douglas, unsworn to the articles, breaks up their party. The Cardinal, indeed, is imprisoned, but only as a move in the game. Parliament is hastily and stealthily summoned; the ambassadors are sent to London with proposals obviously unacceptable, all to gain time. The Cardinal is furtively released, as it were by degrees. Mary of Guise and Arran effectively perplex Sadleyr. George Douglas, professedly to gain time, goes to London with more acceptable terms. Henry cries for the castles, and for the kidnapping of Mary or of the Cardinal. The national party makes Mary safe at Stirling. The treaty is ratified in Scotland, but in Beaton's absence. Henry seizes the Scottish merchant-ships. Arran proclaims Beaton a traitor, and straightway flies into his arms. Henry is left to face an irritated people, a union of the Governor and the Church. His friends are now at odds among themselves, and incapable of combined action. Henry's schemes, his secret oaths, his bribes to Arran and Beaton, have all been made and offered in vain. Winter makes instant military action impossible. Henry, "the Father of Wisdom," as his agents call him, is mocked and baffled. Scotland is as far from being his as ever. Hence his rage and the insensate brutality of his revenge.

Henry now played the part of the spoiled child. He cried for impossibilities. He suggested, as usual, the kidnapping of the Legate, and we know from the Legate's letters that the holy man was put in peril.[33] He repeated the hopeless request that Angus would seize and hand over the fortresses. He mentioned, as a feasible scheme, that some of his faction might pay a visit of respect to their child queen and carry her off with them. Then the chil-

ling thought occurred to Henry that perhaps Mary had already been spirited away, "changed at nurse," and a false Mary substituted for her. He might be kidnapping the wrong baby. To all these ideas Douglas replied that Henry would do well to wait for the spring, and conquer Scotland formally.[34] Sadleyr and Throckmorton also gave Henry to understand that the Douglases could not rely even on their own servants to fight against Scotland in the English cause. "England might well fill their bellies, but should not daunt their hearts," said a border spearman. A Parliament was summoned in Edinburgh for December, and the Cardinal, with Arran, rode to the north of the Forth to punish the robbers of abbeys, and break up the English party in Forfarshire and Perthshire—the party of Rothes, Grey, Ogilvy, and Glamis (November 14-26).

This enterprise possibly began the feud in which the Cardinal perished.[35] In the politics of this age the country lairds, men of no great house or estate, become prominent. Such were Learmonth and Balnevis of Halahill, who had been ambassadors to England; Kirkcaldy of Grange; the Laird of Calder; Erskine of Dun; Crichton of Brunston (near Penicuik in Mid-Lothian), and many others. The Lothian lairds were, in Knox's phrase, "earnest professors of Christ Jesus" (Protestants), as were many of the squires of the Northern Lowlands and Ayrshire. Their theology in no way affected their practice: some were crafty men of the dagger.

The basest of all was Brunston, who, at first a man of the Cardinal's, and then of Arran's, had for some time been the hired spy of Sadleyr. To him, sheltered in Tantallon, Brunston wrote on November 25. Arran and Beaton had been in Dundee, where they imprisoned "the honestest men in the town," the robbers of the monasteries. They then sent for Grey and his allies, who would not meet Arran unless he dismissed Beaton and Bothwell. The Cardinal therefore bought most of the gentlemen who were with Grey "to his purpose," and Arran again asked for a meeting. Grey, ignorant of Beaton's intrigues, offered a tryst in the fields, with the hope, perhaps, of capturing the Cardinal.[36] But they "were falsely betrayed," and, far from catching the Cardinal, Grey, Rothes, and Balnevis were caught and put in custody. It appears, from Knox's account, that Learmonth and Kirkcaldy of Grange were at this time with Arran and Beaton, and were used as envoys by them to Grey, unless, indeed, they were the persons entrapped with "rewards and other false means" in Brunston's version, which, comparing Knox,

seems impossible.[37] While Grey and others were taken, John Charteris escaped, and Brunston recommends him as a useful man to Henry's bounty, which he obtained. He adds that Calder and others refuse French pensions, "*which I believe should have been evil paid*" (he says with naïveté), and, in brief, they prefer Henry's money. Now Charteris, Kirkcaldy, Rothes's son, the Master of Rothes, and Brunston were all presently to be in the conspiracy to murder Beaton, while Balnevis joined the murderers in St Andrews Castle after the deed. The emissary of the murderers to Henry was one Wishart, a Forfarshire name, so that we may plausibly suppose the feud to have sprung out of this affair. Yet, a year after the Cardinal's enterprise near Dundee, we shall find Balnevis, Learmonth, Rothes, Grey, Ogilvy, the Master of Rothes, Kirkcaldy of Grange, and David Lyndsay, the Cardinal's reviler, all sitting with him and Arran in a Parliament which conditionally served the Douglases with summons for high treason!

December (1543) found Sadleyr under command to leave Scotland, while the Douglas party was in fragments, and Sir George Douglas was warned by the English Privy Council that he and Angus "shall surely go to the pot." Parliament met in Edinburgh (December 11), and declared the marriage treaty to be broken and annulled by Henry's seizure of the ships. A summons of treason was prepared against the Douglases, and Kirkcaldy of Grange was deprived of the Treasurership.[38] Alliance was accepted with France, and bishops were ordered to inquire into heresies. War was meant, and Henry recognised it by withdrawing Sadleyr, and by sending his herald with a threatening message. The Douglases, urged by Henry, gathered a force and marched on Leith, while Maxwell, a prisoner in Edinburgh Castle, had a plot to seize that hold. From January 10 to 14 the Douglases, Lennox, Glencairn, and Cassilis threatened Edinburgh. But they had no siege artillery. The Master of Maxwell had now an interview with his imprisoned father, and carried his retainers over to the Cardinal's party. The faction of Grey, Ogilvy, the Earl Marischal, and Glamis did not join the Douglases; only John Charteris earned his hire. So the Douglases succumbed, Sir George himself being pledge of their promise of loyalty to Arran and to Holy Church. Meanwhile he advised Henry to make an invasion in spring. Being a prisoner, he may be compelled, he says, to write letters at Beaton's dictation. Henry must not believe them unless he draws on the paper a

heart ♡: the heart of Bruce, the Douglas badge, was thus prostituted by a traitor Douglas.[39]

The Douglas party were to break their pledges punctually in spring. Meanwhile Beaton had time to attend to the heretics. "He brunt mony lymmeris" (burned many rogues) in Perth and Dundee, says the 'Diurnal of Occurrents' on January 28, and he put Learmonth in ward at St Andrews; Erskine of Dun (who once killed a priest) was warded in Blackness. The usual charges were those of disputing on the Scriptures against the Act of Parliament of March 1543. Disputing sometimes took the form of brawling in church. Spottiswoode has a tale of the pitiful drowning of a woman, whose husband, with other men, was hanged. The executions must have been on a considerable scale, as Beaton hired fifty-four cart-horses "for punishing of certain heretics," according to the Treasurer's accounts. If we may trust tradition, as here we probably may, the punishments were cruelly inflicted for trivial causes, and demonstrate a strange ferocity in Beaton's character. To drown a woman for praying to God and Christ rather than to the Virgin when in childbed, is a brutality so unheard of and intolerable that no measures taken against the Cardinal, if he gave the sentence, could be too bad. But the conspirators who were about to offer Henry their daggers do not allege any such honourable motives. Whatever the details may have been, the persecution was impolitic,—a blunder as well as, in our eyes, a crime. "The commons universally" had been sturdy patriots: they must have been estranged by cruelties exercised on their own class.

As the spring wore on, Henry, who had declined overtures for peace, mobilised his forces. The Douglases, still in his hire, advised an invasion in March. On April 10, the Privy Council sent Hertford, Henry's general, his orders. He was to burn and destroy, "putting man, woman, and child to fire and sword without exception where any resistance shall be made against you." The upper stone of St Andrews was to be made the nether: "spare no creature alive therein." One bishop (Winchester) signed this Christian document.[40] While Henry was issuing these orders for the massacre, the "earnest professors" in Scotland sent to Hertford "a Scottish man called Wysshert," with a letter from Brunston and verbal messages. Kirkcaldy of Grange, "late Treasurer," the Master of Rothes, and Charteris, are anxious to take or slay Beaton, if Henry will give them maintenance. For more money

wherewith to raise forces, they, the Earl Marischal, Calder, and others of Grey's friends, will destroy Arbroath and other ecclesiastical lands and goods, when the retainers of the clergy march to fight the army of invasion.[41] Wishart visited Henry, who offered the murderers asylum in England and £1000 for their forces if they would give hostages to Hertford.[42] Whether this Wishart was the martyr or not, is a question much debated to little purpose. In any case, the conspiracy failed at this time. On May 1, the English expedition arrived from Shields to attack Edinburgh.

They effected a surprise. The Scots probably could not pay for intelligence: nobody expected an attack by sea. Hertford's army drove back a Scots force of 6000 men, which seems to have been ill handled, and took Leith with the artillery "such as it is." The Governor and Beaton were in the field, and some Lothian lairds, including the traitor Brunston. The Cardinal and Arran did not remain to endure the assault on Edinburgh, but retired to Linlithgow — a step excusable in the Cardinal, whose capture would have been fatal to his cause. The Provost declined to yield Edinburgh except on terms which Hertford could not grant. It is agreeable to learn that Brunston, sneaking round the English camp on the double chance of getting intelligence or saving himself by surrender, was shot in the thigh by an arrow from a sentinel: had it pierced his throat it would have been well for Scotland. He was not so badly hurt but that he returned next day, recommending Hertford to hold and fortify Edinburgh as a centre for the English party. After a stout resistance at the gate, Hertford's men carried it with considerable loss, and his artillery, without orders, advanced and fired on the castle, where they suffered much. They retired, leaving one of their guns, and began burning the town. Here the castle had them at a disadvantage, firing on the city, so that the English soldiers fled in a panic, Hertford declares, trampling each other down in the gateway. So Hertford retreated, congratulating himself that he had made "a jolly fire" and destroyed Holyrood. Edinburgh had meanwhile chosen a new Provost, and was bent on resistance, though the women were heard to cry "Woe worth the Cardinal!" The country was devastated nearly as far as Stirling—all which Sir George Douglas regarded as a crowning mercy, since but for Hertford's arrival he and Angus

would have lost their heads. Hertford returned to England after an expedition in which he did much mischief and won little honour.[43] As far as it had a purpose beyond revenge, that purpose was to show the Scottish populace the futility of resisting Henry's benevolent desire "to have the word of God truly preached among them."

Henry's idea bore some fruit. There can be little doubt that the commons began to distrust the Cardinal. His foreign policy brought them intolerable suffering, and his persecutions must have alienated their hearts and made them readier to listen to the new doctrines. At this juncture Lennox and Glencairn sold themselves to Henry. On May 17, at Carlisle, a contract was executed[44] by which Glencairn and his son, the Master of Kilmaurs, were pensioned. Lennox was to receive the hand of Angus's daughter, Henry's niece, and the office of Governor of Scotland. He was to give Dumbarton Castle and the Isle of Bute to Henry. He was to acknowledge that prince's "Right Title and Authority in Scotland," and to secure the teaching of God's Word "as the mere and only foundation whence proceeds all Truth and Honour." Glencairn tried to carry out his contract, but was defeated by Arran near Glasgow, and fled to Dumbarton. Lennox retired to England, and married the daughter of Angus, later the unhappy mother of Darnley.

Perhaps weariness of war and defeat now favoured the singular intrigue whereby, at a meeting of nobles in Stirling, June 3, the queen-mother, Mary of Guise, was placed under a council of twelve lords and four bishops, while Angus acquired the lieutenancy on the Border. To his English paymasters George Douglas represented this revolution, so ruinous to Arran's power, as the result of his own diplomacy.[45] Arran had fled to Blackness, and now the Douglas party held the queen; while we find Rothes, John Charteris, and Grey in arms in the Cardinal's interest, though, three months earlier, they had conspired to murder him. "Every lord did for his ain particular profit, and took na heid of the common weill. . . . There was na credit among the nobilitie at this present."[46] In the North, Lovat fought Clanranald, and there was almost incredible slaughter. On July 22, Rothes, Grey, Glamis, and Ogilvy—all of late the Cardinal's deadly foes—fought at Perth against Ruthven, Drummond, and Craigie, in the interest of John Charteris, whom the Cardinal, against Ruthven's interest,

had made Provost of Perth. Only ten days before, Charteris and Rothes had been sending their excuses to Henry—probably for some failure of theirs while the invading army was in Scotland.[47] Fyvie, their messenger, vowed that Henry could rely on Lord Grey. Yet here we find Grey's party in arms for Beaton's new *protégé*, Charteris! The Cardinal had somehow won over his most extreme enemies. To Grey he gave in October, and may have already promised, lands in Rescobie, for defending the Church from "execrable heresies."[48] The Church robber is now *defensor Fidei*. For Charteris, as Knox says, Beaton "purchased" the Provostship of Perth. How he secured the others is unknown.

Certain it is that Beaton had detached Learmonth, Rothes, Kirkcaldy of Grange, Grey, Ogilvy, and others from the faction of Angus and of England. We have seen that advantages were offered to Charteris and Grey. The rest of the party may, as patriots, have stood by the lawful Governor, Arran. But they can scarcely have seriously thought that Protestantism was likely to gain more from Arran and Beaton than from Mary of Guise and Angus. Again, they can hardly have sided with Beaton to avoid civil war, which certain of them had offered to begin when Hereford was in Scotland. We cannot prove that all were bought (though that hypothesis would explain their versatility), and it is conceivable that they were moving in obedience to some secret "bands" among themselves. However they were brought over, Beaton had found an equipoise in these men of Protestant tendencies for what the Douglas faction had gained by "capturing" Mary of Guise.[49]

Meanwhile there was constant fighting on the Borders, and Lennox failed in an effort to capture Dumbarton for England. Private feuds raged: Arran captured the Laird of Calder, and George Douglas retorted by seizing the Laird of Borthwick, while Lady Borthwick made Bothwell her prisoner. Eure and Bowes ravaged the Border from July to November.

Early in November Arran held a Parliament in Edinburgh, while the Angus faction, with the queen-mother, were denouncing Arran in Stirling. With Arran and the Cardinal were Balnevis, Learmonth, Rothes, Grey, Ogilvy, Norman Leslie, David Lyndsay, and Kirkcaldy of Grange.[50] The Estates promised to support Arran if the Douglases persisted in holding aloof. Summonses for treason were threatened against them. These measures were successful. The Douglases appeared at Edinburgh on December 12, and were

"assoilzied," and declared innocent of all their open and secret treasons, now and for ever. Of course they were, and were known to be, deeply guilty; but the threat of trial for treason brought them into the national union for the moment. Such were the vagaries of politics, but the Cardinal's triumph, won by the aid of the very men who had lately planned his murder, is a remarkable piece of statecraft. The agreement was of little use. Angus and Douglas failed disgracefully in an attempt on Coldingham, and Douglas was blamed for a dastardly retreat. The English were certainly not aware of his treachery, if treacherous he was, in this instance. Brunston now gave news to the English of the sailing of Scottish vessels for France, with the French Ambassador on board, and he advised Henry to invade Scotland before French help could come. A tax was raised to support 1000 men under Angus for warding the Border,—very needful, as the Teviotdale lairds, with Cessford and Ferniehurst, had assumed the Red Cross. Eure had spy's news that Sir George and the Cardinal were friends, and that the infant Mary Stuart was to be sent to marry the Dauphin.

Henry now offered 2000 crowns for "the trapping" of Angus, and 1000 for Sir George: it was his old idea.[51] Henry gave Angus's barony of Coldingham to an Englishman, and Angus, perhaps, felt all the blood of the good Lord James swell in his bosom: if so, he dissembled. In February 1545, a Border spy, a Graham, was in Edinburgh, where he beheld the edifying spectacle of Glencairn at the queen's Mass. Glencairn promised to be true to Henry, and Angus declared that "he loved the king's Majesty best of all men." He offered to make Lennox, the dear husband of his beloved daughter, Governor of Scotland. He would send one William Knox with further intelligence.[52] Meanwhile Wharton was working to kidnap Angus and Sir George! As the English and the Teviotdale lairds were now raiding the Border, Arran convened the country at Lauder (February 23), but the country would not rise, justly misdoubting the Douglas treachery, "ever false as they alleged."[53] Arran was defeated near Melrose, and, it is said, was nearly betrayed by Sir George (whom Wharton was trying to seize) to the English.[54] Melrose was burned, and the graves of the Douglases were desecrated. This insult aroused even Angus. As the English retired, he, with Arran, met them on Ancrum Moor, where he was joined by Norman Leslie, a man of

heroic valour, and by Buccleuch. The confident English, beguiled by the sending back of the Scottish horses, advanced too hastily, and found the dismounted Scots in close array of spears. Sun, wind, and blown smoke were in the eyes of the English: the spearmen of Scotland were not to be broken by cavalry, the Red Cross Scots (the men of Cessford and Ferniehurst, fighting under English colours) joined their countrymen: the English fled, the peasants rose on them, Eure and Layton were slain, with 800 men, while 2000 were taken prisoners.[55] Coldingham fell, and Jedburgh was evacuated by the English. It is a singular incident of Ancrum Moor that Arran wept over Sir Ralf Eure's dead body. "God have mercy on him, for he was a fell cruel man, and over cruel. . . . And welaway that ever such slaughter and bloodshed should be among Christian men," wherewith, as the tale is told, the tears trickled down his cheeks.[56]

Early in this year, 1545, some efforts towards peaceful negotiations were made. There was correspondence between Henry and Sir George Douglas, who tried to justify his own behaviour. But the burden of his letter was the usual one: Henry will never win Scotland "by reason of the extreme war that is used in killing women and young children." Henry must try gentle measures, for he is reported to intend the very worst. As a step toward peace, Cassilis, the only Solway prisoner returned to England, sought and got leave to revisit Scotland on parole, to try to make terms. He found the usual English party willing, but had news of a French auxiliary expedition to Scotland (April 2, 1545). Against this invasion Henry took measures and sent Hertford to the Border. Cassilis reported that the Cardinal was only killing time, "for his own particular profit," and advised an invasion, with the usual proclamation of the best intentions (April 20). Beaton had just been appointed as Legate *a latere*, though his commission was captured at sea. Henry accepted Cassilis's advice, and, in accordance with a hint of his, sent Sadleyr to the Border. To Sadleyr Cassilis wrote, with an offer to have Beaton murdered, if Henry would pay a reward. Henry "will not seem to have to do in it, and yet mislikes not the offer." Sadleyr was therefore advised to reply, as if from himself, that he would counsel Cassilis to achieve the feat, and trust to Henry's gratitude. One Forster was to be the go-between, and they must put their ideas in writing, under Cassilis's cipher.[57] Forster undertook his mission, and met Angus and Cassilis. But,

on the point of the murder, Cassilis would not commit himself, though he sent a ciphered letter to Sadleyr. George Douglas, however, advised the deed, if a due reward were stipulated. The scheme of assassination, therefore, lay by—to be renewed later by Brunston, probably in collusion with Cassilis. He and Brunston used the same cipher, and were clearly in the same plot.[58]

In open politics the main event was the landing of Lorges de Montgomerie with a considerable French force and treasure. Now all this time Angus had been representing himself to Henry as, despite Ancrum fight, a warm friend of the English cause. And such he proved himself, for he led 30,000 Scots and 3000 French over the Border; but, to use a phrase of a later traitor already quoted, Ker of Kersland, his action was only taken for reasons of "decorum," that is, to keep up the pretence of being a loyal Scot. He burned the village of Branxton, the scene of Flodden field, and some other hamlets. But, on August 13, all the large force returned to Scotland, "through the deceit of George Douglas and the vanguard," says the contemporary diary-writer. All was ruined "by us that are the king's friends," boast the Douglas faction.[59] Thus, while Cassilis and George Douglas were scheming Beaton's murder, George Douglas and Angus were also leading Scotland's vanguard with the precise purpose of ruining its endeavours.

At this juncture a "Lord of the Isles" makes an unlooked-for appearance. Since the forfeiture and death of John of the Isles, and Earl of Ross, about 1494-1498, no acknowledged Lord of the Isles had existed. The new Lord is that Donald Dubh, regarded by the Celts as legitimate son of the Bastard of the Isles, Angus Og, son of John of the Isles. Donald Dubh had been kidnapped by Atholl, says tradition, as an infant, and immured by Argyll in Inchconnel Castle, on Loch Awe, about 1480-84. He had an interval of freedom, about 1501-1506, and was then recaptured. By 1543 he was at liberty again, and since that date had made diversions in the west, and distracted the power of Argyll. Denounced by Government as a bastard, he maintained that "even within his mother's womb" he had been the prisoner of his foes. Atholl, then, about 1480-1484, must have kidnapped, not the infant, but his pregnant mother, whether the wife of Angus Og, and daughter of the first Earl of Argyll, or a mistress of Angus. This Donald Dubh it was who, in July and August 1545, was in treaty with Henry. With him were Maclean of Duart, Clanranald,

Macleod, Lochbuy, MacNeil, Glengarry, and other Celts, some of them recently set free from ward by the folly of Arran. They practically renewed the old treaty of Westminster and Ardtornish (1461-63). They were to raise 8000 men for Henry's service, and the Lord of the Isles was to receive a pension of 2000 crowns per annum. They avow themselves "auld enemies of Scotland."[60] We are not to suppose that these chiefs were Protestants, though allied with Henry. None of them could write. Thus Beaton had against him the traitor southern nobles and also the western Celts, except Argyll. A western invasion, aided by Lennox and Donald, calling himself Lord of the Isles, was projected, but came to little, the Celts quarrelling about their pay, which came into the hands of Maclean of Duart. By land, Hertford, in the first week of September, crossed the Border and destroyed the beautiful Abbey of Kelso, with Melrose, Dryburgh, and Jedburgh. Irish forces were used, as the most relentless. The sleep of the Douglas ancestors was thus again disturbed. Meanwhile where was "the Douglas true"? Skulking at Irvine, far away, with Cassilis and Sir George.[61] Arran gathered 10,000 men to repel Hertford, but by advice of Angus they dispersed. Thus the Douglases won both shame and heavy loss, their own lands suffering in the ruthless and useless devastation, the greatest ever known on the unhappy Border. Some Frenchmen deserted to Hertford, and were asked by Henry to trap or kill Beaton, Arran, or Montgomerie.[62]

This emphatic failure of the French auxiliaries, this disgrace to the arms of Scotland, this wreck of her monuments and provisions, must have been a sore stroke to Beaton. A few of his letters survive. "Dangers I encounter to avert danger from others," he had written when Angus was in arms against him. That open attack he had subdued; he had gained French help, and, in July 1545, he had written, "Heresy is almost extinct; the feuds of the nobles are appeased; victory over England is probable"—with Angus to lead the van! In fact, before the failure and treachery on the Border, and the harrying by Hertford, Beaton was most vexed, not by England, but by the assertion of his rival, the Bishop of Glasgow, to precedence over him, a fray immortally comic in the pages of Knox.[63] Disappointed and discomfited, surrounded by traitors, threatened by Celts on his west flank, the Cardinal did not lose heart. Maxwell had surrendered Caerlaverock to Henry; Beaton took that hold, with Lochmaben and Thrave, in November.

He also recovered, by dint of money, Dumbarton, then in danger from Lennox, the new Lord of the Isles, and an Irish force under Ormond (November 1545).

The next event of importance, at a moment when Beaton had recovered power and prestige, and had entered into "bands" with some of his would-be assassins, was the capture of George Wishart, the beginning of the end. The facts in the career of this remarkable man cannot be precisely ascertained, and his chief modern admirers are at variance as to dates and sequence of events. Knox appears to have dislocated the dates, and again, criticism cannot easily accept Knox's account of his trial. The much-debated question is, Was George Wishart, the martyr, the Wishart who, in April 1544, visited Henry VIII. with the Brunston-Rothes-Charteris and Kirkcaldy schemes for assassinating Beaton, and attacking the towns and lands of churchmen? Nothing, we think, in the evidence renders this impossible, while nothing proves the case. Wishart was doubtless a Forfarshire man, and is believed to have been connected with the House of Pitarrow, and with the family of Learmonth of Balcomie, ambassador to England in 1543. Tradition associates him with the teaching of Greek at Montrose, under the auspices of Erskine of Dun, and alleges that, in 1538, he fled from an injunction of the Bishop of Brechin.[64] He (if not another of his name) certainly was in Bristol in 1539, where he recanted on a charge of heresy: he had denied the merits of Christ as a Redeemer. He went abroad, and Knox tells us (as from Wishart himself) that a Jew, on a Rhine boat, inspired him with, or increased, his hatred of works of religious art. He translated the Confession of Faith of the Churches of Switzerland (1536-37), which enjoins on magistrates the punishment of heretics. About 1542-43 he took pupils at Corpus Christi College, Cambridge, and Tylney, with whom he read, attests his unbounded charity, while admitting that some of his "people" (pupils?) were anxious to kill him for his severity. Even the most unpopular tutors are seldom assassinated at the English universities. Wishart's next movements are subjects of controversy. Tylney remarks that he returned to Scotland with some of the nobility that came for a treaty with Henry VIII. This must mean the ambassadors Learmonth, George Douglas, and others, who arrived in Edinburgh in July 1543. Knox also says that he returned "with the

Commissioners before mentioned,"—he has only mentioned these ambassadors,—but makes the date 1544.[65] Now the right date for Wishart's return cannot well be other than that indicated by Tylney, and by Knox's reference to "the Commissioners before mentioned"—that is, the ambassadors of 1543. It was natural that Wishart should return under their protection on the journey. Moreover, thanks to the terms of peace they carried, he would expect (if an outlaw) to find a changed face of things in Scotland, with the English and Protestant party in the ascendant. As naturally, he would go to his own country, and, after Beaton was outlawed for some days (August 28–September 3, 1543), he might well take heart to preach in Dundee. Dr Lorimer, indeed, supposes his lectures to have abetted the "popular demonstration"—that is, the rabbling of the Dundee monasteries at the end of August 1543.[66] If this were so, Wishart's public activity would inevitably cease when Beaton visited Dundee, and imprisoned the ringleaders of the mob, in November 1543, while he persecuted in these regions in January 1544. The ascendancy of the Cardinal would almost necessitate Wishart's silence. In April 1544 a Wishart, the martyr or another, is the messenger of murder between Brunston and Henry VIII. In 1545, after Cassilis's murder plot, the country of Cassilis, Kyle, and Ayrshire would be the safest place for a Protestant preacher, and Knox tells us that Wishart did preach in that district, apparently about June–August 1545.

But even the greatest admirers of Wishart do not find it easy to construct a consistent theory as to his movements out of Knox's narrative. Writing from memory, after the lapse of a score of years, Knox began from what we must consider a false date (1544 instead of 1543) for Wishart's return from England. He then, perhaps, by an illusion of memory, may have foreshortened or "telescoped" events. Wishart, in his version, begins his doctrine in Montrose and Dundee, certainly not before 1544. But at that date, as we saw, preaching would have been very perilous. Next Knox tells us that Wishart instantly obeyed an injunction to leave preaching, and went to "the west land"—Kyle and Ayrshire. Here he held conventicles in various places. The sheriff of Ayr found it necessary to protect Mauchline kirk, for therein was a tabernacle "beautiful to the eye." On another occasion, to prevent a fight, Wishart preached in the fields, leaving a church to its bishop. Then, probably in July–August 1545, Wishart was summoned back to Dundee,

where the plague was raging. He fought the plague manfully, escaped several snares of the wicked Cardinal, and (apparently in December 1545) began to move on Edinburgh, where he said he was "called to another battle." In fact, Cassilis and the gentlemen of the west country, aware that Beaton was about to hold a convocation of the clergy at Edinburgh, had determined to take their own part in the affair. They were to ride to Edinburgh, probably at the head of their retainers, and demand that the bishops should meet Wishart in open public controversy. As Wishart was, it seems, an outlaw at the moment, and certainly, according to Knox, was the object of Beaton's murderous attempts, the appeal of the westland gentlemen could only succeed if supported by force.

Here we are deserted by the evidence of documents. We have seen, from Sadleyr's correspondence in the Hamilton Papers, that in the summer of 1545 Cassilis was trying to arrange for the Cardinal's murder, while Brunston (who used Cassilis's cipher) was harping on the favourite scheme as late as October 20, 1545. But what the relation of Cassilis was to the plot in the autumn of 1545 we do not know, because the letters on Scottish affairs in the State Papers are lost or have been destroyed. For the period between October 1545 and the murder of Beaton in the end of May 1546 the manuscripts do not exist—a circumstance in itself suspicious. We can only conjecture that Cassilis had laid aside, or subordinated, his homicidal plot, and that, with Wishart's aid he contemplated some form of "popular demonstration." Wishart left Forfarshire in December 1545 to keep tryst with Cassilis in Edinburgh. He did not keep tryst with Cassilis but with Fate.

To him and his fortunes we shall return. Meanwhile, if Knox was accurate (which, if Tylney and Knox's own reference to the Commissioners is correct, he cannot be) in making Wishart return to Scotland first in 1544, then the martyr could scarcely be the Wishart who carried the scheme of murder to Henry VIII. in April 1544. Again, if (as Knox says) Wishart preached at Dundee in a year which seems to be 1545, was inhibited, obeyed the inhibition, went to the westland, and was recalled to Dundee by the plague, all would be consistent enough. Up to the spring of 1545 Wishart did nothing notable: he then began to preach, and ceased when inhibited. Unluckily Knox, who tells us this, also prints Articles of Accusation against Wishart at his trial, in which he is charged

with contumaciously refusing to obey the inhibition.[67] Which version (if either) is true, or did Wishart disobey in August–September 1543 and obey later in 1545? Or is the reference to some other inhibition? We can but point out the difficulties.

There is another point. Wishart is found, later, in close association with Brunston, Calder, and others in the murder plot; while, as we show, he was now in connection with Cassilis, who had also schemed assassination. But it is easy to reply, and the reply must be admitted, that Wishart knew nothing of these men's iniquities. Here, again, actual proof is impossible. Because Brunston sent a fellow-scoundrel named Wishart to Henry in 1544, and aided and "reset" Wishart the martyr in 1545, it does not follow that these two Wisharts are one and the same man. There were other Wisharts. Mr Maxwell, in 'Old Dundee,' produces a George Wishart, a travelled gentleman, who was accused of helping to drown an old Catholic lady, and of other acts of zeal. All is matter of probability, not of demonstration. We cannot prove that the martyr knew Brunston before January 1546.

Wishart was to meet, in Edinburgh, "the gentlemen of the West," who were to aid him to encounter the clergy in controversy. Beaton, in fact, held a convocation of the clergy at Edinburgh, in January 1546. Wishart kept tryst, but Cassilis did not. The preacher was sheltered by Brunston, Ormiston, and other "earnest professors," and the saintly Sir George Douglas heard his doctrine, which he promised to avow and protect. Naturally Sir George did not keep his word. It was at Haddington—where he had a small congregation and therefore "continued in vehemency and threatening," says Knox, "near an hour and a half"—that Wishart learned that Cassilis would not join him. He took a last leave of his friends, including Knox, who used to carry a two-handed sword before him. That night, at Ormiston, in the company of Brunston and Calder, Wishart was arrested by Bothwell (January 16, 1546). The earl was summoned to surrender the prisoner, and Beaton carried him to St Andrews.[68]

Whether Wishart knew anything of the plots of Brunston and Cassilis can never be certainly discovered. We are baffled by the loss or destruction of the English papers. We can only conjecture as to whether Wishart was or was not the murderous envoy of Brunston in 1544. Later, in 1545-46, he was in Brunston's society, as, in the summer of 1545, he had been in Cassilis's country about the

time of Cassilis's plot. If we may say *noscitur e sociis*, the case for Wishart stands ill. But Knox was not averse to murder in a holy cause, and, if Wishart was no less a man of his age than Knox (which we cannot prove), he was also a man of sincere conviction, of great charity, of dauntless courage, of high temper, and, according to Knox, gifted with premonitions of events in some supernormal manner. Wishart suffered at St Andrews on March 1: he was strangled, and his body was burned. Knox avers that the Archbishop of Glasgow, with Beaton, looked on, lying in an eastern tower, probably opposite Castle Street. Knox cites the Trial from Foxe's 'Acts and Monuments of Martyrs,' which, again, cites a dateless tract, published in London, with a long wordy preface by Robert Burrant. The same book includes Lyndsay's 'Tragedy of the Cardinal.' In my opinion Knox himself was the author of this tract. Whoever reads his History in one of the old editions will perceive no break in the style. In Wesley's words it is "fierce, sour, and bitter," and is marked by Knox's peculiar vein of humour. Even a joke, "fiend" for "friar," which occurs here, is used by Knox in later pages. In Knox's acknowledged work, as in the tract, Wishart is "the servant of God," and is "Maister George."[69]

The tract, besides these verbal coincidences, and besides the florid and fluent vituperation (entirely absent in an account from Scotland of a similar trial in 1550, published by Foxe), is marked as Knox's by his affection for Wishart, and his local knowledge of St Andrews. Thus the tract seems to be Knox's own,[70] and we may discount the odious language in which Lauder, the accuser, addresses the prisoner. Nothing of the kind is reported when the same cleric accuses Wallace in 1550, or, to take a Court virulent enough, in the *Procès* of Jeanne d'Arc. "When that this fed sow [Lauder] had read through all his lying menacings, his face running down with sweat, and frothing at the mouth like a bear, he spat at Maister George his face, saying,"—and so forth. If Knox did not write these words, he certainly modelled himself on the master of vituperation who was their author. As it is improbable, if not impossible, that Knox was himself present at the trial, and as he cites no authority for his version of the Articles and Answers, we need not take them as literally authentic. Whatever occurred, Wishart was certainly found guilty, praying Christ to forgive them who condemned him ignorantly. Knox and the tract say nothing of his prophecy of Beaton's destruction, and it is probable

that he died in the true spirit of a martyr. But if he agreed with the Swiss Catechism which he translated, he had no objections to the punishment of heretics: and Calvin would have burned him cheerfully for the heresy which he is said to have recanted at Bristol. More gently treated than Calvin's victim, Servetus, he was hanged, after which his body was "brynt to poulder."

It is alleged that the civil magistrate did not sanction this execution,—which would greatly add to its odium. John Leslie, brother of Rothes, is said to have openly vowed revenge. Beaton cried, "A fig for the feud and a button for the bragging of all the heretics and their assistance in Scotland," according to Knox, who adds a rumour that Angus and his friends purposed something against him, "but it failed." This was in Edinburgh, where in January Beaton had held a Provincial Council "of Baal's shaven sort," the clergy. According to Knox, letters found after Beaton's death "partly" proved that he had summoned his future murderers to meet him on a date two days after his assassination, with a treacherous purpose, "plainly affirmed by such as were of the council." The letters are not extant.

He now married one of his daughters, by Mariotte Ogilvy, to the Master of Crawford, thereby probably ending an old Crawford-Ogilvy blood-feud. He was refortifying his castle—already, for these times, a place of strength. On May 29 he was surprised in his Castle of St Andrews by a set of ruffians who slipped in early in the morning, dirked the porter or knocked him on the head, and secured the place. Eight Kirkcaldys and one Learmonth are named among the gang, with Norman Leslie, Master of Rothes; John Leslie, his uncle; James Melville, Peter Carmichael, and other earnest professors. A letter written on the day of the murder says that Beaton was slain on the staircase of the blockhouse.[71] Knox's version is almost too familiar for quotation. After some speech with John Leslie, Beaton or his page opened the door, when fire was brought to burn it down. A secret postern was watched by young Kirkcaldy of Grange, later so celebrated. The Cardinal fell into a chair, crying, "I am a priest!" John Leslie and Peter Carmichael struck or stabbed him: James Melville, "a man most gentle and most modest," proved these qualities by first haranguing the victim at considerable length, and then stabbing him several times. The Provost, Learmonth, with the townsfolk, came to the moat, and the dead man was shown to them, probably hung

in a sheet over the wall. His body was insulted, it is said, in an unmentionable manner. The remains were delivered up in December 1546 or January 1547, and were probably then buried in the now ruinous chapel of the Dominicans in South Street. The long-deferred deed was done; the swords of the ruffians who had first conspired against and next sided with Beaton were washed in his blood. "Fie, fie, all is gone!" are said by Knox to have been his last words. All was gone, indeed: save Hamilton, presently Archbishop of St Andrews, no man of Beaton's intellect, courage, craft, and tenacity was left to uphold the ancient Faith and the old Alliance. Knox, gloating over his maimed obsequies, says, "These things we write merrily." But mirth is not the mood in which we hear of ruffianly deeds, triumphing where force had failed in open field, and craft had failed in council.

A verse commonly attributed, but without good authority, to Lyndsay, runs—

> "Although the loon is well away,
> *The deed was foully done!*"

Foul was the attack on a single priest by a crowd of armed assassins, some of them under "bands" with him, others, like young Kirkcaldy of Grange, belonging to families which were, to all appearance, publicly supporting Beaton and Arran. But in Norman Leslie and several of the rest old grudges rankled, new private offences are said to have arisen, and it is conceivable, though, in the absence of documents, not certain, that the murderers were in Henry's pay; that the terms, so often higgled over, had by Henry been at last conceded. With the death of Beaton closes the chapter of united resistance to England, and alliance with France. The policy of Bruce's prelates, and of the patriotic Bishop Kennedy, was to struggle on for a while, under Beaton's successor, Arran's half-brother, Archbishop Hamilton. But, with David Beaton slain, and with Knox hurrying forward to assume a power greater than Beaton's, we may say of old Catholic Scotland, as said the dying Cardinal, "Fie, all is gone!"

NOTES TO CHAPTER XVII.

[1] Lisle to Henry, Hamilton Papers, vol. i., Christmas Eve, 1542.

[2] This citation is from the original, which does not contain the inverted commas (marks of quotation) that confuse the sense in the printed version. The sense here taken is that in which Henry understood it. Hamilton Papers, i. 356.

[3] Hamilton Papers, i. 358.

[4] In 'Blackwood's Magazine,' March 1898, p. 345, I misunderstood Lisle to mean that Douglas was reporting remarks by Arran. Lisle's English is confused. Dr Hay Fleming corrected me here. Douglas, not Arran, is the speaker; but Douglas's omission of any charge of forgery remains to be explained away.

[5] Sir George Douglas told this to Lisle, and why should Douglas invent a palpable lie which could not gain him a rose-noble, and could not fail to be detected? State Papers, 1836, v. iv. 250, note. Lisle to Henry, Feb. 2, 1543.

[6] Here we have at second-hand what Lisle wrote to Henry VIII. on Dec. 30, 1542. Hamilton Papers, i. 349.

[7] Calendar State Papers, Spanish, vi. pt. ii. 228-231.

[8] Chapuys, Spanish Calendar, vi. pt. ii. 222; State Papers, 1836, v. iv. 234, note.

[9] State Papers, 1836, v. iv. 242.

[10] Hamilton Papers, i. 361-402.

[11] The affair of Captain Dreyfus.

[12] Lisle to Suffolk, February 1-2, 1543, State Papers, 1836, v. iv. 249, 250.

[13] Spanish Calendar, vi. ii. 243-279. This 150 is the 360 of Arran's fable to Sadleyr about the proscription of Protestants.

[14] Hamilton Papers, i. 466.

[15] State Papers, 1836, v. iv. 263, 264.

[16] Act. Parl. Scot., ii. 411-413.

[17] Sadleyr Papers, i. 83-90, March 22, 23.

[18] Hamilton Papers, ii. 40.

[19] Sadleyr, i. 138.

[20] Hist. MSS. Commission, xi. App. vi., 219, 220.

[21] Theiner, 614.

[22] State Papers, 1836, v. iv. 284.

[23] Sadleyr Papers, i. 216.

[24] Hamilton Papers, i. 602-606.

[25] Sadleyr, i. 257.

[26] Hamilton Papers, i. 630-632.

[27] August 17, Hamilton Papers, i. 639-642.

[28] Hamilton Papers, i. 651.

[29] Sadleyr, i. 270-275.

[30] Hamilton Papers, ii. 21.

[31] "They would have destroyed Arbroath Kirk but for Lord Ogilvy," says the 'Diurnal of Occurrents,' p. 29. Perhaps Ogilvy spared the church while spoiling the property, but there seems to be no thoroughly authentic account of the event.

[32] Hamilton Papers, i. 663, 664. The Council to Suffolk, August 29.

[33] Mr Bliss's Vatican Transcripts, Record Office.

[34] Hamilton Papers, ii. 96-112.

[35] We have seen, however, that the Cardinal had already expressed his fear of assassination.

[36] "Thinking to have had the most part of their will, and to have done the king [Henry] service acceptable."—Brunston, Hamilton Papers, ii. 187.

[37] Knox misdates the capture, placing it in July 1543, *after* a skirmish between Ruthven and Ogilvy, which, we know from the 'Diurnal of Occurrents,' took place eight months later. Knox, i. 113; Diurnal, p. 34. It is not merely Knox's

date, in Arabic numerals, that is wrong; he says that the capture followed the skirmish, which it preceded by several months.

[38] Maitland, ii. 854. Cited by Tytler.

[39] Douglas in Suffolk, January 15, 1544; Hamilton Papers, ii. 250, 251.

[40] Hamilton Papers, ii. 326.

[41] State Papers, 1836, v. iv. 377, 378.

[42] Haynes, State Papers, pp. 32, 33.

[43] Hertford's Despatches in Hamilton Papers.

[44] Fœdera, xv. 23-26 and 29-32.

[45] Hamilton Papers, ii. 409. Beaton, as we read in Mr Bliss's Transcripts, once asked at Rome for excommunications against he-tile prelates, perhaps the four bishops.

[46] Diurnal of Occurrents, p. 33. For the fight at Perth, Diurnal, p. 34.

[47] Hamilton Papers, ii. 422, 423.

[48] Register, Great Seal, 1513-1546, pp. 709, 710.

[49] Dr Hay Fleming, in 'Contemporary Review' for September 1898, p. 387, has shown that my original idea, the wholesale purchase of the more or less Protestant barons and lairds, lately hostile to the Cardinal, is not proved. Kirkcaldy, for example, was not bought with an equivalent for the great Gold Chain, as I had inferred. He only got an old debt paid, as was his due.

[50] Act. Parl., ii. 446.

[51] Hamilton Papers, ii. 538.

[52] Knox had a brother named William.

[53] Diurnal of Occurrents, p. 38.

[54] Diurnal of Occurrents.

[55] February 27, 1545.

[56] Shrewsbury to Henry, Hamilton Papers, ii. 565.

[57] Privy Council, 30th May 1545; State Papers, 1836, v. iv. 449-451.

[58] State Papers, 1836, v. iv. 470-472, note.

[59] Diurnal of Occurrents, p. 40; Angus, Marischal, George Douglas, and Cassilis to the Privy Council, August 15, 1545; State Papers, 1836, v. iv. 498, note.

[60] See Appendix H, "Donald Dubh, the last Lord of the Isles."

[61] State Papers, v. iv. 519, note. Their letter from Irvine, September 9.

[62] State Papers, 1836, v. iv. 512.

[63] Theiner, Mon. Vet., pp. 615-618.

[64] Petrie's History of the Catholick Church, pt. ii. 182. Hague, 1662.

[65] Knox, i. 102-104, 125.

[66] Scottish Reformation, p. 107.

[67] Knox, i. 126, 155.

[68] Knox says that Bothwell promised safety to Wishart, and gave him up because he could not withstand "the assaults of a gracious queen," and, moreover, was bought by Beaton. Bothwell merely obeyed an Act of Council of January 19, which is extant, and cited by Laing, Knox, i. 143, Note 6.

[69] Knox, i. 143, "Maister George"; i. 148, "the innocent servant of God." In 'Blackwood's Magazine,' March 1898, I wrote, "Knox calls Wishart 'that servant of God, Maister George,' and so does the tract." Dr Hay Fleming replied, "The expression quoted does not occur in the tract." The *expressions* do occur in the tract, where Wishart is "the servant of God," and in the next line but one, is "the said Maister George" (Tract, Knox, i. 149). Mr Hill Burton cites the account of the trial as "bearing the mark of Knox's vehement colouring." It is "needless," he says, "to seek in the account for precise accuracy" (Hill Burton, iii. 255, 1873).

[70] The idea, though I did not know it, had occurred to a previous writer, Dr Rogers: the marvel is that it has not occurred to every student.

[71] State Papers, 1836, v. iv. 560.

APPENDIX A.

EARLY PROBLEMS.

WHILE this book passed through the press essays on some of the debated questions appeared. In 'Proceedings of the Society of Antiquaries of Scotland' Principal Rhys repeated his expression of belief that "the Pictish language is not Celtic, not Aryan." His opinion rests on inscriptions not always legible, and on philological arguments which cannot be condensed.[1] Prof. Zimmer's essay on "Pictish Matriarchy" (agreeing on the whole with Rhys) may now be read as the 'Introduction to Leabhar nan Gleann.'[2] Prof. Zimmer's theory depends (p. 6) on the notion that the Dalriad Scots (of Argyll and Kintyre) not only Christianised the Northern Picts, which is true, but also imposed their Gaelic language on the Picts and "took away their independence." It is most improbable that Irish missionaries could impose a new language; and as to "taking away the independence" of the Picts, we might as wisely hold that James VI. took away the independence of the English by becoming king as that Kenneth MacAlpine, a Pict by female descent, did as much for the Picts. The argument of Rhys that ancient inscriptions in the Pictish area show a "non-Aryan substratum, under a light Irish (Gaelic) veneer," must be left to experts. As to female descent among the Picts, considered as a "non-Aryan" survival, we only know it in the royal house, and the many seeming relics of totemism in Greece show that Aryan races have developed like others.[3] Opponents must allege that Aryans in Greece adopted non-Aryan customs and legends. Prof. Zimmer denies that any proof of the development of male out of female kin "without extraneous influence" has ever been given. He may not have studied 'The Deme and the Horde,' by Messrs Howitt and Fison,[4] where the process is shown at work in Australia. It is true that Messrs Spencer and Gillen ('Native Tribes of Central Australia,' p. 36, note) throw doubt on this, but all that they say of the Urabunna tribe appears to confirm the theory of maternal passing into paternal lineage "without extraneous influence."[5] From a MS. by Mr Howitt I gather that he still (1899) does not agree with Zimmer.

As an example of a Scottish inscription which Principal Rhys regards as certainly non-Aryan, we may choose—

X TTOCUHETTS : AHEHHTMNNN : HCCVVEVV : NEHHTONN

(Lunasting).

This appears to be not merely non-Aryan but non-human! or not correctly deciphered. Some people seems to have dropped all its aspirates in one place, at Lunasting.

The Proceedings (1897-98, pp. 399-476) also present a description of the recent

excavations at the Roman station of Ardoch, in Perthshire. These show (pp. 468, 469) that Ardoch was less well found in the finer elements of Roman civilisation than the Roman site at Birrens, just north of Solway Firth. Ardoch was coarser, cheaper, probably less permanent; and this fact makes in favour, I think, of the theory that the Roman occupation of Scotland was purely military, was little extended, and casually held north of Forth. Again, a new work[5] indicates that Birrens "had been destroyed, had lain waste, for a long period" (p. 29), and had, later, been recovered and reconstructed. Was it first founded under Antoninus Pius, then lost, and recovered under Severus? or was it an early station destroyed, and recovered under Antoninus? The few coins found were chiefly of Trajan, Hadrian, and Antoninus Pius.

A hoard of coins of Severus, found in Kincardineshire, seems to me nearly as good evidence of Severus's northern march as is, for that of Edward I., the great hoard of his coins found (1897-98) at Penicuik. For the Severus hoard see Mr Haverfield's tract on 'A Roman Inscription' (Glasgow, 1898). For the difficulties about Hadrian's Wall see "The Romans in Britain" ('Edinburgh Review,' April 1899).

As to these Roman problems, what we need is excavation. I learn from Sir Herbert Maxwell that a work in Galloway, externally of Roman aspect, deserves the spade. (See his book on 'Galloway and Dumfries'). On the other hand, Mr S. R. Crockett has found, from a letter written about 1730, that a so-called "Roman camp" in Galloway was really erected by the "Levellers."

[1] Proceedings, 1897-98, pp. 324-398.
[2] By George Henderson. Norman Macleod, The Mound, Edinburgh. *S.a.*
[3] See the author's 'Custom and Myth' and 'Myth, Ritual, and Religion.'
[4] Journal of the Anthropological Institute, xiv. 142.
[5] Birrens and its Antiquities, by Dr James Macdonald and J. Barbour, 'Standard' Office, Dumfries, 1897.

APPENDIX B.

THE SIDHE AND THE GODS.

THE best short account of old Celtic religion in Ireland is perhaps that given by Dr Hyde in 'A Literary History of Ireland.'[1] This work appeared after my own remarks were in type. Dr Hyde distinguishes "private idols" (used by "poets" or medicine men in their magic) from "public idols," such as "the great gold-covered image," called the Crom Cruach or Cenn Cruach. It seems to have received even human sacrifices; but our information, of course, is from later and Christian sources. In lines apparently "not very ancient," we read—

> "He was their God,
> The withered Cromm with many mists."

His statue, or idol, was surrounded by twelve stone idols.[2] There is evidence of sun-worship in St Patrick's "Confession." Apparently Irish paganism, as far as idols were concerned, was much on a level with that of the pagan Northmen.

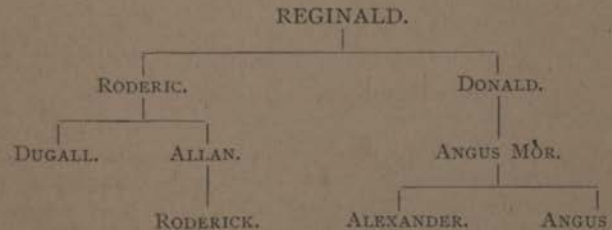
The *Sidh*, dwelling in fairy mounds, are by no means forgotten or wholly disbelieved in by the peasantry of Sligo, for example. But their precise relationship to such gods as Cromm is difficult to unravel.

[1] Fisher Unwin, 1899. [2] See Mr Nutt's Voyage of Bran, i. 301.

APPENDIX C.

THE CELTS IN THE WAR OF INDEPENDENCE.

THE War of Independence was won by the Lowland Scots (in origin mainly of English descent) fighting under the standards of leaders more or less Norman by blood. Nobles of such lineage varied, shifting from side to side, and even so shifted the Celtic chiefs. Most of their great men, from Argyll and Perthshire to Wigtownshire, are found taking oaths of homage to Edward I. in 1296 after the collapse of the "toom tabard," John Balliol. When Wallace in 1297 lifted the fallen banner of Scotland, the Celtic chiefs took, some the English, some the Scottish side, as national feeling, private ambition, or family feud chanced to dictate. After Bruce had slain Comyn, some of the Celtic opponents of England in 1297 were brought under her flag by the blood-feud for Comyn. There were also divisions within the family, and the two brothers of the house of the Isles were of opposite parties: the elder, Alexander, for England; the younger, Angus Og, for Bruce. A notion of the divisions among the Celts in 1297 may readily be gained. We find Alexander de Yle, head of the Isla house, on the English side, and seizing "Macrogri," apparently Roderick, a chief of Clan Rory, a descendant, as it seems, of Reginald, son of Somerled, whether second son or eldest is debated. Both men, captor and captive, were originally of Reginald's blood.



Besides announcing to the English Government his capture of "Macrogri," Alexander de Yle remarks that Alexander de Ergadia (Argyll) is still holding out, though he did homage at Elgin in July 1296. This Alexander de Ergadia of Argyll is a descendant of Somerled's first (or second) son, Dugall; *or*, he is another of the descendants of Reginald, son of Somerled.[1] However it be, we see only Alexander de Yle, of all the children of Somerled, on the English side when Wallace is out in 1297.[2] In 1301 John, son of Suffne, laments that one of the de Ergadia family, John, robs him in favour of Sir John Menteith, who later gave up Wallace, but then was on the Scottish side. One of the de Yle family,

Angus, was at that hour with Bisset's fleet in English interests.[3] But the murder of Comyn, their kinsman, by Bruce raised a blood-feud between the house de Ergadia, Macdougals of Argyll, and Bruce. Henceforth the house of Argyll (Macdougal) is staunch to England, as is Alexander de Yle. But Sir Nigel Campbell and Angus Og of the de Yle house are loyal from the first to Bruce, and by aid of Angus Og Bruce led the men of Argyll, of Kentyre, and of the Isles in his reserve, with his Carrick men, at Bannockburn.

As to other Celts, the Badenoch tribes would be for Scotland while a Comyn was of that party, and would probably shift when the Comyn blood-feud with Bruce began. The north-eastern Celts on Spey and elsewhere were for Wallace, under Sir Andrew Moray.

The Celts of Galloway, such as the Macdowals (probably akin to the Macdougals of Argyll), were notoriously Bruce's enemies. A curious point arises as to Galloway. In June 1298 Edward I. informed Louis of France that certain Celtic chiefs came in and did homage at Wigtown on Monday next after St John the Baptist's Day in 1296. They continued in his allegiance. Among them are MacEthes, a Macgillavray, MacEuries, and "all the lineage of Clenafren." Now Macgillavray is a Clan Chattan name. MacEuries are perhaps MacUlrigs, a Kennedy name. But if MacEthes or MacHeths are the Macphersons, sons of Heth, Earl of Moray, and of the royal blood of Lulach, what are these Clan Chattan men, MacHeths and Macgillavrays, doing in Galloway?[4] If the MacEthes of the Clen Afren are of the ancient Celtic royal house, the blood of Lulach, it is natural to see them on the side of England in the War of Independence. Thus the house of the Isles, even under Henry VIII., was of the same party, "auld enemies of the realm of Scotland." Celtic scholars must decide as to these MacEthes: to a Lowlander it seems conceivable that they were merely Galloway Mackies, a large clan in the Stewartry.

[1] Skene, Highlanders of Scotland, ii. 107, adopts the latter opinion.

[2] See his Letters, Bain, ii. 235 (903, 904. Stevenson gives them in full).

[3] Bain, ii. 320.

[4] Bain, ii. 253. Skene, Highlanders, ii. 177, quoting, for the Heth origin of the Macphersons, a MS. of 1450, "Clan Heth must have been the most ancient name of the Macphersons." Mr Skene published the MS. of 1450, with a translation, in 'Collectanea de Rebus Albanicis.'

THE ENGLISH SUPREMACY.

(Pp. 44-46.)

The whole question of the English supremacy is now of purely antiquarian interest. But it is not to be wondered at that Scottish historians contest "the primary fact from which the English controversialist starts," in Mr Freeman's words. We may have a bias, but so had Mr Freeman. He says that Mr Robertson "would never have satisfied himself with such futile arguments except under the influence of strong national partiality."[1] But Mr Charles Truman Wyckoff, of Chicago, is not a Scot (as far as his name indicates), and he warmly espouses Mr Robertson's cause in a thesis for a doctor's degree in the University of Chicago.[2] Perhaps Mr Wyckoff is an Anglophobe: we all have our bias. He believes that Regnwald, who died in 920[3] or in 921, is *the* Regnwald, not "another person of the same

name." He contrasts Mr Freeman's affirmative[4] with Mr Green's negative.[5] He gives proofs that in Eadward's reign submissions were made "in the immediate neighbourhood of the people concerned." "But Bakewell in Peakland is in Derbyshire, on the borders of Eadward's dominions, and far removed from Strathclyde and distant Scotland. The idea of these peoples going thither to do homage is completely at variance with the customs and history of this period." Mr Wyckoff nowhere else at this period finds the expression "to choose him for *father* and lord." If we take 921 (the date of Florence) in place of 924 for the submission, "it leaves the last three, and most important, years of Eadward's reign a blank." "The story of the great 'commendation' of the North to Eadward cannot therefore be accepted as an historical fact."

Then what is the record? Mr Green cannot date this section of the Winchester Chronicle "earlier than 975," or the end of Eadgar's reign, some fifty years after the "commendation"; and as the "imperial claims of the English Crown seem to date pretty much from the later days of Eadgar or the beginning of Æthelred's reign, an entry made at that time would naturally take its form from them."[6] Nothing about the commendation of 924 occurs in MS. D of the Chronicle, which is especially rich in Northern details. Mr Wyckoff therefore suspects "erroneous or fraudulent entries" in the Winchester Chronicle of 924 and thereabouts—reflections from the later period of Eadgar. If MS. D is silent about the commendation of 924, it, and it alone, is copious about 926. On page 46 I have briefly touched on the question of a Scottish submission to Æthelstan in 926, quoting Mr Freeman[7] and Mr Robertson (ii. 397, 398). The sole authority is this MS. D, which makes Constantine, with two Welsh princes, and Ealdred, son of Eadulf of Bamborough, "confirm peace with oaths" at "Eamotum," and promise to put down devil-tribute. They "then submitted in peace." Mr Robertson objects that Christian kings had nothing to do with "renouncing idolatry," and supposes the Scots to be interpolated into a record of Danish submission, the Danes being heathen. William of Malmesbury,[8] citing an old poem, asserts that Constantine's son was baptised on the occasion, which, of course, is absurd. He makes the place of meeting Dacor in Cumberland, not "Eamotum," which has been interpreted as Emmett in Yorkshire. The local difficulty, however, is solved by assuming Dacre, near the Eamont, an overflow of Ullswater, to be the place intended. The Dacre burn meets the Eamont (of old "Amot"); and the dative plural, *aet Eamotum*, would seem to mean "at the meeting of the waters." Sir James Ramsay finds the living tradition at Dacre that this is the site of the event. I add a note which Mr W. H. Stevenson, of Exeter College, Oxford, kindly supplied:—

"Steenstrup[9] discusses fully the evidence about the meeting at Dacre, and justifies William of Malmesbury's account. The Turfridus he identifies with the Thurferth (both are forms of the Norse name Thorfrithr), who is recorded in MS. A of the Chronicle as surrendering to Edward in 921 with the Northamptonshire folk. This is an entry written within a year or two of the date, if not in the year itself, for the hand in which it is written ends in 924. From this point for some time the D MS. is the best authority. The form in the MS. is 'at Eamotum,' which is an English dative plural, the case required by the preposition. It was taken over in this form by Florence of Worcester, who speaks of 'in loco qui dicitur Eamotum,' which is not intended as a Latinisation, but is the OE. dat. pl. without the preposition, quite a legitimate use for an English-speaking writer. Steenstrup quotes Fergusson[10] as proof that this river was called Amot as late as 1425, and thinks that the meeting occurred at the confluence of the Dacre with the

Eamont. The reference to the prohibition of idolatry was one in which Christian kings could well take part, and it refers not to the Scots or Welsh, but to the Danes. Steenstrup argues that Malmesbury has added the confusing notice that Athelstan caused Constantine's son to be baptised on this occasion, in consequence of the statement in the old compilation known as the 'Flores Historiarum,' or 'Matthew of Westminster,' that Constantine's son was given to Athelstan as hostage in 934. This is probable, for we know that Malmesbury had a contemporary Latin poem on the achievements of Athelstan that has perished, and it is fair to presume that the poem would either not give the chronology or would give it defectively. It was a good stroke of policy on the part of Athelstan to induce the Scotch and Welsh kings to prohibit paganism, for such a step would cause a scission between them and the Northmen that he was engaged in subduing. That it did not succeed, we know from the subsequent league of Constantine with the exiled Northmen before Brunanburh. The meeting at Eamotum falls in naturally with Athelstan's occupation of Northumbria, and Steenstrup points out what a very convenient place it was for a conference with the Celtic kings."

Taking all this into consideration, the arguments of Mr Robertson against this meeting in 926 of the Scottish king and Æthelstan may seem to be weakened. The difficulty about the alleged Scottish prohibition of devil-tribute, however, is still very puzzling to me. Conceivably it may refer to heathenish survivals in folk-lore, even now not extinct, and probably as common in Æthelstan's realm as in Constantine's. What is said as to Mr Robertson here also holds good for Mr Wyckoff in his 'Feudal Relations between England and Scotland,' p. 12. In effect, the difficulty about the place of the meeting (Eamotum or Dacor) is overcome; but the sense, if any, of "aelc deofol geld to cwaedon," applied to the devout Constantine, remains as unintelligible as ever. Mr Green does not elucidate matters by suggesting[11] that the entry of the commendation of 924 in the Winchester Chronicle is a mere refraction of the alliance of 926 in MS. D. On p. 50 I have preferred Mr Robertson's scepticism to Mr Freeman's belief in the eight kings who rowed Eadgar's boat on the Dee. Three MSS. of the A.S. Chronicle (D, E, and F) say that in 972 "there came to meet Eadgar six kings, and all swore fealty to him that they would be his co-operators by sea and land."[12] For "fealty" the original has "ealle him on hand sealdon." The Chronicle, then, records a promise of faithful alliance by six unnamed kings of unnamed kingdoms. But 972 is an error; 973 is correct, as in Florence of Worcester, says Mr Stevenson.[13] Florence, as we saw in the text, adds two to the six kings (a great modern authority makes them *seven*), and also adds the tale of the boat. Mr Robertson, for various reasons, dismisses the tale of Florence as a myth. Mr Robertson's objections are in his 'Scotland under her Early Kings,' ii. 387, 388. There could have been no "king of the Cumbrians" at the date; and if Strathclyde is meant, "no Malcolm could have appeared at Chester in that capacity." A Malcolm, *Rex Cumbrorum*, it is replied, occurs in Tighernac's Annals in 997. Siferth, in Florence, is "unquestionably," says Mr Robertson, meant for Jevaf ap Idwal; and Florence's Howell and Jacob are his sons, Jago and Howell, princes of North Wales, while Jukill may be Idwal ap Idwal. Now Jevaf died in 967. Duffnal is "utterly unknown amongst the contemporary princes of the Welsh, and is only applicable to the King of Strathclyde, adding another element to the confusion. This is scarcely the handiwork of a contemporary chronicler."

Of all these, Duffnal, if anybody, is Rex Deaulix. Siferth and Jacob appear, Mr Robertson says, in an authentic charter of 955. Maccus is probably Magnus Haraldson, King of the Isles—*Archipirata*, as he signs himself—and ancestor of

the Maxwells. Dr Steenstrup is satisfied with his identifications of kings who puzzle Mr Robertson, and incidentally makes an error of his own in Celtic philology. He decides that "there is nothing to prevent us supposing that these kings may have been present at the Dee. Despite a few possible mistakes, we cannot deny the existence of these princes or Eadgar's supremacy over them."[14] "A few possible mistakes" in so brief a statement as Florence's "*donnent furieusement à penser!*" But Mr Stevenson cites, as additional evidence, Ælfric, writing about 996, twenty-three years after the alleged event. "All the kings of this island, of Cumbrians and Scots eight kings, came to Eadgar once upon a time on one day, and they all bowed to Eadgar's government." This is a stronger statement of submission than that in the Chronicle, and Ælfric has added two kings to the anonymous six of the Chronicle—or, with praiseworthy modesty, the Chronicle has deducted two kings from the eight of Ælfric, just as De Quincey, in his 'Opium-Eater,' has added one, making nine in all. Mr Freeman[15] describes the A.S. Chronicle as "the best of all authorities," and on this showing the best authority is for *six* kings, unnamed, of unnamed regions. Kenneth, then, need not have been *dans cette galère*.

In my own opinion, it seems probable that Eadgar met an uncertain number of princes on the Dee, and made a convention with them of uncertain nature. We know only too well how variously such conventions as to suzerainty may be interpreted in our own day. In the days of Eadgar, and later, no Scottish submission would be understood by either party as carrying the consequences of the submission to Edward I. These consequences the Scottish people would not endure; they freed themselves with spear and sword. The ridicule, in the long controversy, attaches to Henry VIII. with the monstrous anachronisms and self-contradictory character of his pretensions.

[1] N. C., i. 570.
[2] Feudal Relations between the Kings of England and Scotland (Chicago University Press, 1897), pp. 1-11.
[3] Annals of Ulster.
[4] N. C., i. 568, 569.
[5] Conquest of England, p. 217.
[6] Conquest of England, p. 217, note.
[7] N. C., i. 59.
[8] Gesta Regum, i. 147.
[9] Normannerne, iii. 26 *sqq*.
[10] The Northmen in Cumberland, p. 112.
[11] Conquest of England, pp. 217, 220, notes.
[12] Thorpe's Translation A.S. Chron., R. S., ii. 96.
[13] English Historical Review, July 1898, p. 505, citing Steenstrup, Normannerne, ii. 200.
[14] Normannerne, iii. 203; Eng. Hist. Rev., July 1898, p. 506.
[15] N. C., i. 65.

APPENDIX D.

THE EVOLUTION OF BOROUGHS.

"DARK as the history of our villages may be, the history of the boroughs is darker yet," writes Mr Maitland.[1] It is not possible in a brief statement to put all the complex problems as to the rise of boroughs before the reader. As in the case of the Hide, the Hundred, and the Manor, the question of the boroughs lies in the hands of specialists—German, French, and English—and has its own abundant literature. Whatever theory may be adopted, "we ought to protest that no general theory will tell the story of every or any particular town." That boroughs were a modified survival, or reintroduction, of Roman municipal institutions was for long a favourite opinion,[2] but is no longer accepted generally, even in the case of Gaul.

In a list of aid-paying English boroughs of the twelfth century, Mr Maitland remarks "the broad fact that throughout the larger part of England the commissioners found a town in each county, and in general one town only, which required special treatment. They do not locate it on *Terra Regis*; they do not locate it on any man's land. It stands outside the general system of land-tenure."

In these "county towns" (the county name being usually borrowed from that of the town) we seldom, if ever, find that all the burgesses have one landlord. Thus in Oxford there were perhaps a score of landlords, from the king to archbishops, bishops, abbots, counts, and so forth. In fact, houses in boroughs are attached to manors existing all over the county. Again, "the burgesses who *de jure* are in one place" (say Staines) "are often *de facto* in quite another place" (say London). It is suggested that these men of Staines, for example, located in London, are a military contingent which Staines owes to the defence of the great *burh*, London. Originally *burh* may have meant no more than a fortified place, a strength or fastness, perhaps a fortified hill-top. The intrenchment round a great man's house is called a *burh*; and in the king's or noble's *burh* his "peace" prevails: a crime done in his enclosure is an offence against himself. Now "the peace of the burh" (when considered as a group of houses) seems to be evolved from the peace of the burh (considered as the fortified enclosure of the king's house). Where there is such peace (and probably it was often based on saintly protection or tradition) moots, or meetings for judicial and other purposes, can be, and in Æthelstan's day are, already held. This moot may be the shire-moot or county meeting, but the burh soon has a moot of its own, *burh-gemót*, held thrice a-year. The burh, with its peace and its moot, is thus already something more than an ordinary group of houses, a *tún*. (In rural Scotland a farmhouse, with offices, cottages, stables, byres, and so forth, is still called a "toon.") The group of houses, with its court, or moot, and its peace, hard by a great man's fortified enclosure, comes itself in time to be fortified, notably in the wars between Wessex and the Danes. The land is now burdened with the maintenance of these civic strongholds. "Wall work is coupled with bridge work." The landholders, in proportion to their holdings, have to see to the strength of the walls of the burh. "Each shire has to have its borough in its middle. Each shire takes its name from its borough. . . . The shire maintains the borough." Thus "we shall hardly go astray if we suggest that the thegns of the shire have been bound to keep houses and retainers in the borough of their shire, and that this duty has

been apportioned among the great estates." This fact accounts for the circumstance, already noted, that the burgesses have so many different landlords, for example, in Oxford. Thus "we may strongly suspect that the first burgmen, the first *burgenses*, were not an exceptionally peaceful folk." They were far unlike the fat burgesses of St Andrews, who burst themselves in flying from Montrose's men, and "died without stroke of sword." They were equally unlike the civic militia of Glasgow, who fell at Falkirk beneath the claymore. "In all probability these [original] burgmen were of all men in the realm the most professionally warlike. . . . We may believe that the *burgensis* of the tenth century very often was a *cnicht*, a great man's *cnicht;* and that if not exactly a professional soldier (professional militancy was but beginning), he was kept in the borough for a military purpose, and was perhaps being fed by the manor to which he belonged." Heterogeneous as was the society composed of such retainers of various lords, the borough in which they dwelt especially needed "a very stringent peace," "the king's own house-peace," and a moot or court of its own.

The Conquest, with its castles garrisoned by heavily armed professional knights, came athwart this military development of the old English borough. Mr E. W. Robertson's 'Scotland under her Early Kings' (i. 306, 307) may be cited for the forty days of service under the Constable of the royal castle in "castle ward." Mr Robertson elsewhere remarks, like Mr Maitland, that "the actual *burgh thegns*—the thegns *in burgh*—were originally a garrison rather than a trading class" (ii. 337, note).

We see, then, a number of separate elements in the growth of the burh—security, military, social, and commercial—under the "peace" of king or lord, or at last of the burh itself, being the main object. But we must not expect to find absolute uniformity of development. The elements of the burh would exist in various places before they were confirmed and more or less stereotyped by charters conferring franchises as to tolls, fairs, markets, local administration of justice and local government, and so on. To examine the county names of Scotland is to learn, more or less exactly, how the institution of county towns, centres giving their own names to the shires, came in. Ross, Argyll, Sutherland, Fife, and so forth, are shire names, given (or retained) independent of dominating burghs, such as Edinburgh, Roxburgh, and the rest. A most curious and valuable treatise on the remote origins of "the peace," so necessary for places commercial—a "peace" first arising (among savages) from traditional respect paid to certain routes and spots, then (in Greece and Ireland) associated with the funeral games in memories of heroes, then protected by saints ("Lawren Fair," "Paldy's Fair")—with many other matters, will be found in Mr Elton's 'First Report of the Royal Commission on Market Rights and Tolls,' pp. 1-30; for Scotland, pp. 94-101.

As to borough houses in Scotland, which are parts of knights' fees, we must await the complete publication of the researches of Mr George Neilson.

[1] Domesday Book and Beyond, p. 172.

[2] See Hill Burton, ii. 83, 84.

APPENDIX E.

BRUCE'S CHARTERS.

FOR what is said here about Bruce's charters I am indebted (as in many other cases) to Mr George Neilson. He kindly lent me his copies of the charters existing in the antiquarian Lord Haddington's Transcripts, now in the Advocates' Library. The charters show Bruce's interest in raising infantry and in exacting the service of galleys. That certain royal burghs became feudal burghs "by intermediate grant" is perhaps less creditable to the policy of the king. Concerning his forfeitures of his opponents' lands, perhaps enough has been said in the text. The results were the troubles of the reign of David II. But, as Mr Neilson writes, these forfeitures "must have been the finance of the war of independence." The whole body of Bruce's charters will repay close study.

APPENDIX F.

EDWARD III. IN SCOTLAND.

(Cf. CHAPTER IX., "REACTION.")

CERTAIN passages in chapter ix. (p. 242 *et seq.*) must be corrected by a comparison of the "Bridlington author" with public documents. The writer called "the Canon of Bridlington," or another, is responsible for an unusually authoritative version of what occurred in Scotland during the early part of the adventure of Edward Balliol (1332-1339). His tract, or the best edition of it, may be said to "lurk unseen" in the volumes of the Rolls Series named 'Chronicles of Edward I. and Edward II.'[1] Little or nothing is known of the author, but he was clearly contemporary, and gives original letters. He is thus more to be relied on than Sir Thomas Gray, and, of course, is infinitely more trustworthy than the Scots, Fordun and Wyntoun, who wrote long after date. They, on the other hand, are rich in picturesque details. But the Bridlington man, like the rest, cannot be trusted for figures, such as the numbers of men engaged in a battle.

I proceed to correct chapter ix. by aid of this chronicler, giving the pages in my own text. Thus (pp. 243, 244, *supra*) Bridlington, like Lanercost, represents the Scottish Regent, Mar, as having intrigued with the Disinherited Lords. This may have been before Mar obtained the Regency on Randolph's death (July 20). Balliol landed at Kinghorn on August 6; and we are asked to believe that Fife's force, which he defeated, was one of 24,000 foot and horse, while his own was under 2000. On the battle of Dupplin (August 12) Bridlington adds nothing of importance, but he too speaks of the treacherous betrayal of the ford of Earn, for which (according to our chroniclers) Murray of Tullibardine suffered death.[2] From an obscure and corrupt text in Bridlington, it seems that the famous Flemish

engineer, John Crab, was foiled in an effort to oust Balliol from Perth by a sea force (p. 245, *supra*, last line). In pp. 247, 248, I follow Sir Thomas Gray's account of the negotiations for the relief of Berwick (July 1333). The first truce was interrupted by a Scottish attempt to throw in men and provisions on July 11. Many of the men were cut off, says Bridlington, by William de Montacute, and Edward, not regarding the relief as adequate, hanged a hostage, young Seton, before his father's eyes. On the same night (July 11) Tineman's force tried to make a diversion by ravaging Northumberland. I next represent Berwick as securing a truce *of fourteen days* for relief (p. 248, line 12), but Bridlington is undoubtedly correct in limiting the period to "Monday next." This is confirmed by a document of July 16, 1333—a formal arrangement in French between Keith and Edward.[3] Keith carried the news to Douglas, who had reached Morpeth. He returned, and was defeated at Halidon Hill on July 19. The break up of Balliol's party (p. 250, *supra*) seems to have begun in August 1334. In the spring of 1335 France made an unavailing attempt to mediate.[4] Atholl came in at Perth, and was pardoned on August 18, 1335.[5] On August 20 French envoys brought to Edward a letter of Philip of France (July 7) proposing papal arbitration, which Edward declined. He then left for England, and Atholl was slain on November 29, 1335, according to Bridlington. The date November 30 is given on p. 253, *supra*. On that page no mention is made of the frequent negotiations for truce by Edward, who granted an armistice from November 23 to Christmas 1335, Atholl being slain in that period.[6] Nor is it shown that, on hearing of Atholl's death, Edward returned, as he did, to Berwick from Newcastle. At Berwick (January 22, 1336) he granted a prolonged truce, yet the Scots, says Bridlington, "returned to their vomit" and "slew their English rulers."[7] Invading Scotland in the summer of 1336 (p. 253, *supra*), Edward, at Perth in August, was still anxious to negotiate.[8] We cite Fordun's (and Wyntoun's) story of Edward's murder of his brother, John of Eltham, Earl of Cornwall, at this period. The myth is probably meant as an offset to Bruce's murder of Comyn. If true, the story could not have been hushed up by the English writers. The Scots would inform the Pope, who would, *ex officio*, notice the crime. Bridlington avers that Edward had returned to England (obviously after September 3), when documents prove that he was in Perth. He then sent John, his brother, to the North, and John died in Scotland while Edward was in England. Bridlington gives neither the place nor the date when John "went the way of all flesh." But Walsingham and Hemingburgh (here practically but one authority) say that John died at Perth in the end of October 1336.[9] Now, on October 28, Edward, who had been moving northwards, was at Newcastle, as documents in 'Fœdera' demonstrate. As Walsingham and Bridlington agree, he strengthened the fortifications of Bothwell and Stirling. 'Fœdera' proves that he was at both places in November and December 1336. In the face of this contemporary English evidence, which proves that Edward was in England when John died in Perth, it is hard to accept the Scottish myth, of much later publication, that Edward slew John in Perth with a knife—a revenge of heaven, the Scots chroniclers aver, for the violation of a sanctuary at Lesmahagow. Edward has an excellent *alibi*, unless we are to imagine that he wounded John at Perth in September, and left him to expire in late October. On the other hand, the Lanercost chronicler (p. 287) dates John's death September 15, 1336, and certainly Edward (Rot. Scot. i. 453) was in Perth on that day. John was buried in London. Edward returned to England for Christmas, where he remained till, on March 16, 1338, we find him in Berwick. He expected French

aid for Scotland, and Bridlington does not date the abandonment of the siege of Dunbar, which we (p. 254) date June 1338.[10]

[1] Chronicles of Edward I. and Edward II. (Rolls Series), ii. 102-128. Edited by the Bishop of Oxford.

[2] The family had obtained the lands of Tullibardine in 1284 by marriage. The story of the showing of the ford is given in the Duke of Atholl's privately printed 'Chronicles of the Atholl and Tullibardine Families,' i. 10 (1896).

[3] Fœdera (edition of 1739), ii. iii. 96, 97.

[4] Fœdera, *ut supra*, 123.

[5] Fœdera, *ut supra*, 134.

[6] November 23, Newcastle. Fœdera, ii. iii. 138, 139.

[7] Fœdera, ii. iii. 141. Prolongation of Truce, Berwick, January 22, 1336.

[8] Fœdera, ii. iii. 150.

[9] "In fine mensis Octobris" (Walsingham, R.S., i. 197; Hemingburgh, ii. 312).

[10] Bain, iii. xlvii.

APPENDIX G.

THE TRAGEDY OF FINNART.

By following the track of one man across an obscure page of history we sometimes gain a clue to characters and actions. Sir James Hamilton of Finnart, executed in August 1540 on a charge of treason which historians think "doubtful," deserves close study. He was a bastard of the first Earl of Arran, and on January 20, 1513, he was admitted as one of Arran's "heirs of tailzie" in the absence at that date of a legitimate son. Finnart's uncle, not more legally begotten than himself, was Sir Patrick Hamilton of Kincavel, son of the first Lord Hamilton, and father of (1) Sir James Hamilton (laird of Kincavel after Sir Patrick's death) and (2) of Patrick Hamilton, who was martyred in 1528. Both Kincavel and Finnart were men trusted with high State employments. As an envoy to Francis I. in 1517 (his mission was concerned with the murder of de la Bastie), Finnart may have acquired in France his knowledge of architecture. In 1520 Sir Patrick Hamilton was slain in the skirmish of "Cleanse the Causeway." If we may trust Pitscottie, it was a taunt of Finnart's which goaded Sir Patrick into the fight. From 1520 to 1526 we find Finnart mentioned, for example, by Magnus, the English envoy, as a skilled "undertaker" or politician. His own course veered with the veerings of Arran, who was now for Angus and the English, now for the Scottish party. We have seen that in 1519 Finnart slew one Gavin, a burgess partisan of Angus, when the gates of Edinburgh were shut in Arran's face. In 1526, however, Arran, and therefore Finnart, resisted Lennox's attempt to rescue James V. from Angus. At the battle near Linlithgow Finnart slew Lennox, a prisoner, in cold blood, and, according to Pitscottie, set "his mark," a slash across the jaws, on many of Lennox's party. A retainer of the slain earl's presently stabbed Finnart several times, but not mortally. This man was tortured, cursing his hand that dealt no fatal blow, and was executed. Finnart, characteristically, made atonement by founding masses to be said for the soul of Lennox.[1]

Though we here find Finnart in 1526 on Angus's side and taking off James's best loved partisan, yet when the Douglases fell in July 1528 Arran sat on the

court that forfeited them, and Finnart is said by Magnus to have received part of their estates. While they were holding Tantallon against James in November 1528, Magnus reported that he believed Finnart to have arranged a *secret* interview with Archibald Douglas of Kilspindie.[2] This is notable, for, according to the charge of treason which in 1540 destroyed Finnart, he had another secret interview with Kilspindie, and planned James's murder, in the Douglas interest, near Holyrood on February 2, 1529. In December 1531, Bothwell, at a treasonable interview with Northumberland, spoke of "the simple regarding" (neglect) of Finnart by James as one instance of the royal ingratitude which was apt to cause a rebellion.[3] But the Register of the Great Seal shows Finnart in receipt of lands and favours manifold throughout this period down to 1540. On November 17, 1533, he appears as selected by James for an "extraordinary" Lord of Session.[4] Now Buchanan (fol. 172), speaking apparently of 1539, but possibly referring to this appointment of 1533, says that the clergy had Finnart selected as a *judex* of heretics. He accepted the office, Buchanan says, to win James's offended heart by any deed, however cruel. James, in fact, was then heaping honours on Finnart; but Buchanan, in his 'Admonition to the Trew Lordis' (1571), still maintains that Finnart could not acquire the royal favour, and therefore, in Hamilton interests, tried to keep the king unmarried. He is even said to have turned the course of the royal ship homewards when James lay asleep during his frustrated voyage to France to woo Marie de Vendôme in July 1536. Three months earlier (April 25, 1536) Howard had reported to Henry VIII. that Finnart alone was privy to James's design of marrying his old love, the mother of the Regent Moray.[5] In 1535-39 Finnart was Master of the Works at the palace of Linlithgow—in fact, everything proves him to have been a favourite of James, whose "chief sewar," or cupbearer, he was. Of this favour we offer a proof from the Privy Seal Register, cited by Messrs MacGibbon and Ross:[6] "Ane lettre maid to James Hammyltoun of Fynnart, knycht, makand him maister of werk principale to our soverane lord of all his werkis within his realme now biggand or to be biggit and to haif thre or four deputis undir him quha sall ansuer to him and his directioun our all; and to haif yerlie for the said office ij^{c} li. of fe to be pait to him, that ane half be the thesaurar and the uthir be the comptrollare at tua termes Mertymes in wynter and Whitsonday be evin portionis allenerlie. At Stirling, the ix day of September the yere forsaid" (1539).

These payments were continued into 1540, when at last Finnart was overthrown. I find no proof that he was in any way accessory to the martyrdom of his cousin, Patrick Hamilton, in 1528—a charge which is made in modern works.[7] But in August of 1534 the martyr's brother, Sir James Hamilton of Kincavel, was denounced as a heretic, and had to flee the country.[8] This was after Finnart's appointment as an Extraordinary Lord of Session in November 1533. Possibly he may have moved against his cousin Kincavel, and so caused his flight, followed by a family feud. Certainly in or about August 1540 Kincavel returned from exile. Buchanan and Pitscottie, clearly following the same unknown source, make Kincavel send his son to James with a secret message. James, who was riding on a journey and could not stop to inquire, despatched the young man with his ring to Learmonth of Dairsie, Kirkcaldy of Grange, and Thomas Erskine, his secretary, bidding them hear the youth's report and act as seemed good. They (or David Wood, according to Lesley) bade Finnart go into confinement in Edinburgh Castle on a charge of treason urged by Kincavel. Finnart wrote to James, who was for letting him go free and untried. But Kirkcaldy and Learmonth (both Protestants later) and Erskine, a Catholic, knew that if released

Finnart would avenge himself on them for his arrest. They insisted on a trial, and the expenses of summoning the judges and of the wine which they drank on August 16, 1540, are in the Treasurer's Accounts. Lesley (ii. 246) writes, "In judgement in the singular combat he [Finnart] is overcome, and heidet [beheaded] in judgement." Buchanan merely says that the court was constituted *patrio more*, "in ancestral fashion." Pitscottie neglects the picturesque opportunity. Apparently Kincavel and Finnart fought, and the cruel slayer of Lennox was overcome. Such judicial duels were by no means very rare: one is recorded in Birrell's Diary in 1597.

The nature of Kincavel's charge against Finnart is casually recorded in Act. Parl., ii. 423, when (in March 1543) some proceedings arose as to the heirs of the forfeited Robert Leslie, an accomplice of Finnart's. On February 2, 1529, Finnart had (it was charged) met Kilspindie and Douglas of Parkhead at St Leonard's, near Holyrood, and had there arranged with them to murder James. Parkhead then reported the scheme to Angus and Sir George Douglas, still in rebellion at Tantallon, who approved of the plan. "For the which conspiratioun the said Sir James Hamilton [of Finnart] was convict." Among the persons affected by the forfeiture of Leslie, Finnart's accomplice, was his son-in-law, one Thomas Hamilton. This Hamilton may have been that Thomas Hamilton, brother of Hamilton of Stanehouse, who signs a deed referring to pecuniary dealings between Stanehouse and Sir Patrick Hamilton of Kincavel, the deed being of 1529.[9] If so, from him Sir James Hamilton of Kincavel may have got the intelligence on which he founded his charge in 1540. This, of course, is mere conjecture.

The whole affair throws light on James's character. On one hand, he cherishes and caresses a notoriously brutal ruffian of artistic tastes and Catholic fanaticism. On the other hand, he was obviously not moved by caprice to condemn Finnart, whom he was even anxious to release without a trial, the accusation being only brought by a proscribed heretic. The court must have been satisfied with the evidence against Finnart, unless, *patrio more*, it merely accepted the judgment of God in single combat.

Finnart is credited with work on his own *château* of Draffane or Craignethan,[10] as well as with what he did for Falkland, Linlithgow, and Edinburgh and Stirling.[11] The author of the article adds, "Being a man of inventive mind, he had contrived a certain machine, by which it was said that the king was to be shot from the towers of Linlithgow. For this 'crime' he lost his life in 1540." His life he richly deserved to lose; but I know nothing of his "machine."

[1] Hist. MSS. Commission, Third Report, p. 393.

[2] L. and P., 1836, iv. iv. 530. [3] L. and P., 1836, iv. iv. 598.

[4] Act. Dom. Con. et Sess. apud Brunton and Haig, "Senators of the College of Justice," p. 53.

[5] L. and P., 1836, v. iv. 41.

[6] Castellated and Domestic Architecture of Scotland, v. 537.

[7] Pitcairn, Criminal Trials, i. 228, note 3.

[8] Calderwood, i. 108.

[9] Reg. Mag. Sig., No. 864, p. 190, year 1529.

[10] MacGibbon and Ross, Castellated and Domestic Architecture of Scotland, i. 259, 260.

[11] Transactions of the Architectural Institute of Scotland, 1850-51, p. 60.

APPENDIX H.

DONALD DUBH, THE LAST LORD OF THE ISLES.

WHENCE and how, fifty years after the forfeiture of the last Lord of the Isles and his surrender under James IV. (1493-94), does a fresh Lord of the Isles appear, as an ally of Henry VIII., in 1544-45? This Lord of the Isles is Donald, styled Donald Dubh; and our historians are terribly at a loss about him. Even Mr Tytler, who had his eye on Donald Dubh till 1505, then makes him carry "his aged head" to Ireland, where he dies. In truth Donald was, perhaps, as aged as twenty in 1505, and did not expire till at least forty years later. Mr Hill Burton, speaking of the year 1545, merely says that "there is much confused dealing with the Lord of the Isles," without pausing to ask how there could be such a personage. He had represented the lordship of the Isles as "broken up" in 1492-98, yet here is a Lord of the Isles an ally of Henry VIII. in 1545.[1] Our older authors, such as Ferrerius and Lesley, are here of no value. Lesley has a confused story of the misdeeds of "Donald of the Isles" in 1461:[2] he seems to mix up Donald Dubh with his father, and to antedate that father's proceedings by twenty years; and Ferrerius is in the same blunder.

One cannot hope to clear up the whole mystery, but some points may be elucidated by aid of Mr Gregory's 'History of the Western Highlands' and of public documents. Mr Gregory cites the MS. of MacVurich, Sennachie of Clan Ranald of Garmoran (seventeenth century), and MacVurich certainly knew more than Ferrerius and Lesley.

We have described in the text the Westminster-Ardtornish Treaty of John, Lord of the Isles, with Edward IV. in 1462-63 under James III. This John, Earl of Ross and Lord of the Isles, was in direct descent from Reginald, son of Somerled. He had a bastard, Angus Og, who was active in the northern trouble following on the alliance with England. When John of the Isles lost Knapdale and Kintyre in 1476, Angus Og resisted not only the central government of James III., but his father: made an attempt to win Ross, and, probably about 1480 or 1481, defeated his sire at the sea-fight of Bloody Bay, near Tobermory. Now this Angus had married a daughter of the first Earl of Argyll. Highland tradition avers that they had a son, Donald Dubh, and that Atholl kidnapped the child, whom Argyll shut up in Inchconnell Castle, in Lochawe. Angus Og took a fierce revenge on Atholl, probably about 1481-84, which Lesley and Ferrerius attribute to Donald in 1461!

But why did Atholl seize, and Argyll immure, Donald Dubh, Argyll's own grandson? Either they thought him a mere warming-pan heir of Angus Og, a bastard of his (as the Scottish Government later proclaimed Donald Dubh to be); or Argyll wanted to secure the person of the infant heir of the Isles; or he merely rescued his daughter, then pregnant, from Angus Og. But, strange to note, Donald Dubh himself does not say that he was stolen as an infant. In 1545 he told Henry VIII. by letter that he had been made a captive in his mother's womb. "In materno utero inimicorum jugo et captivitati fuimus astricti."[3] Thus, not Donald Dubh, but his mother, while pregnant of him, was given up by Atholl to her father, Argyll. Very possibly Argyll merely rescued his daughter from the ferocious Angus Og, and then took care to keep her child in the castle of Inchconnell, on Lochawe. However this may be, in or before 1490 Angus Og was killed by

an Irish harper. Donald Dubh being in Argyll's hands, the nephew of John of the Isles, Alexander of Lochalsh, was accepted as heir of the Isles: possibly he merely acted for the absent Donald Dubh.[4] Lochalsh dipped in rebellion, and John of the Isles, already forfeited, died in 1498. In 1501, under James IV., many old vassals of the Lords of the Isles were threatened with eviction. But at this juncture the Macdonalds of Glencoe rescued Donald Dubh, a young man of about twenty, from his prison at Lochawe. He sailed to the Lewes, and was welcomed by Macleod, who was his uncle by marriage, having wedded his mother's sister—namely, Katherine, daughter of Argyll.[5] Macleod obviously either knew that Donald Dubh was legitimate, or was content with any kind of son of Angus Og. Of course, on Donald's showing, there could be no kind of doubt about his mother's being the wife of Angus, because she was carried to the custody of Argyll, or of some hostile persons, *before Donald was born*—a point not observed by Highland historians. According to the Rev. Messrs Macdonald, "At the time of the battle of Bloody Bay this lady [Lady Mary, daughter of Argyll, and wife of Angus Og] and an infant son, Donald, were living in the family residence at Finlaggan." There Atholl "stole the infant son of Angus Og and carried him to Lochawe." This was "an act of unspeakable meanness," especially as Argyll "concocted and got the Government to believe the story of Donald's illegitimacy." A great many moral remarks follow.[6] But the Macdonald authors overlook Donald's own story. He was captured *in materno utero*, in his mother's womb. Quite conceivably, as has been said, Argyll was only rescuing his daughter from a ruffian of the stamp of Angus Og. The Messrs Macdonald cite, vaguely, as "document in State Paper Office," the very letter in which we are told that Donald was taken before he was born.[7] Nay, they do more; they later publish the letter in full—and miss the point.[8] This cannot be atoned for by representing Donald as "a lion still, and as soon as he trod his native heather," and so on.

James IV. now commanded Macleod to give up Donald Dubh as a *bastard* son of Angus Og.[9] But Macleod, Maclean of Dowart, and Lochiel proclaimed Donald as Lord of the Isles (1504); in 1505 Dowart abandoned his cause; in 1506 Macleod was forfeited in Parliament,[10] and Donald Dubh himself was taken and shut up in Edinburgh Castle. He lay in irons, he tells Henry VIII., "carceris squalore obrutus, et intolerabilibus compedibus ligatus."

Such was Donald's deplorable posture for nearly forty years. But in 1543, when Huntly and Argyll, as members of the Cardinal's national party, were being assailed by every means, Irish or Highland, at the disposal of Henry VIII., Donald Dubh escaped from his *intolerabilibus compedibus*. How his escape was managed is unknown. In a letter of August 5, 1545, his supporters tell Henry VIII. that Donald "hath lyin in prisoun *afore he was borne of his modir*, and nocht releiffit with their will, but now laitlie be the grace of God,"[11] which is vague. Free in his ancestral Isles, Donald made a truce with Argyll till May Day 1543.[12] Douglas of Drumlanrig gave this and much treasonable intelligence to England. Sir Walter Scott, in his note on the passage, says "it is difficult to guess whom Sadler" (he means Drumlanrig) "calls Earl of the Isles." He meant Donald Dubh, about whom Scott knew nothing, or not enough. On June 7, 1543, Sadleyr informed Henry VIII. that the Highlanders were up against Argyll; and on August 25, 1543, Sadleyr added that, by Glencairn's advice, Arran had let slip on Argyll a number of Highland chiefs who had long lain "in ward."[13] These captives, with or without Donald Dubh, raided Argyll's lands handsomely.[14] As Arran presently (September 4) revolted to the Cardinal, he tried to reconcile Donald's men, but

only one, James Macdonald of Isla, adhered to the national party. In 1544, Lennox, acting for Henry VIII. against Scotland, allied himself with Donald Dubh, to subdue whom, in June 1545, Arran issued a proclamation. He announced that Donald was acting for England, to bring the Isles and much of the mainland under the English Crown.[15] Donald, with a large force, sailed for Ireland, and from Knockfergus, in August, favoured Henry with fragments of his autobiography, already cited. His Council was with Donald: Dowart, Clanranald, Macleod, Lochbuy, Glengarry, and generally "the wicked blood of the Isles." They acknowledged fealty to Henry; they hailed Lennox as Governor; they would "destroy the tane part of Scotland or reduce it"; they would raise 8000 men; they have, they say, "beyne auld enemys to the realm of Scotland"; they apologise for "our lang, rusticall, and barbarose ditment"; and they ask for money. Their spokesman is "Rore Macallister, Elect of the Isles"[16]—Bishop Elect, that is to say. Donald, in fact, was highly salaried by Henry: at the rate of 2000 crowns *per annum*. But though Lennox, with 6000 Islesmen, and Ormond, with an Irish force, were to invade Scotland and march on Stirling, nothing came of it. Lennox was detained by Hertford, and the Celts of Donald Dubh broke up on a quarrel about their pay. Maclean of Dowart received the money, and was not reckoned a good paymaster.[17] Lennox later made his effort against Dumbarton in November: he found it in the hands of the Cardinal's party, and with Donald Dubh returned to Ireland. There Donald died of a fever at Drogheda without issue, save one bastard.

It is a strange sad story: the mysterious early woes, the brief years of freedom, the long incarceration, the escape, the loyal rally of the Celts to "the true heir of Innisgall," the high hopes, and then the quarrels about the English money, and the death of the last Lord of the Isles. The house of Sleat ought to have succeeded, but James Macdonald of Isla (previously loyal to Scotland) coveted "a place with a pension" from Henry VIII. This ambition alienated Clan Gillean, the Macleods, and Macneills, and they came in to the Regent, Arran. Henry did not give James his pension. Lochiel and Keppoch were executed for being on the English side; and in 1546 the processes of treason against the Celts were dropped, and James of Isla ceased to call himself Lord of the Isles. *Sic transit gloria.*

[1] Hill Burton, iii. 65, 240. [2] Lesley, ii. 83. [3] State Papers (1836), v. iv. 483.
[4] Gregory, p. 55. [5] Gregory, p. 96. [6] Clan Donald, pp. 268-270.
[7] Clan Donald, p. 363. [8] Clan Donald, p. 379.
[9] Gregory, p. 97, citing Acts of Lords of Council, xii. fol. 123.*
[10] Act. Parl. Scot., ii. 263. [11] State Papers (1836), v. iv. 503.
[12] Sadleyr, i. 192, 194. [13] Sadleyr, i. 275. [14] Sadleyr, i. 266.
[15] Gregory, p. 169, citing Register of Privy Council, June 1545.
[16] State Papers, v. iv. 501-504. [17] MacVurich, in Gregory, p. 174.

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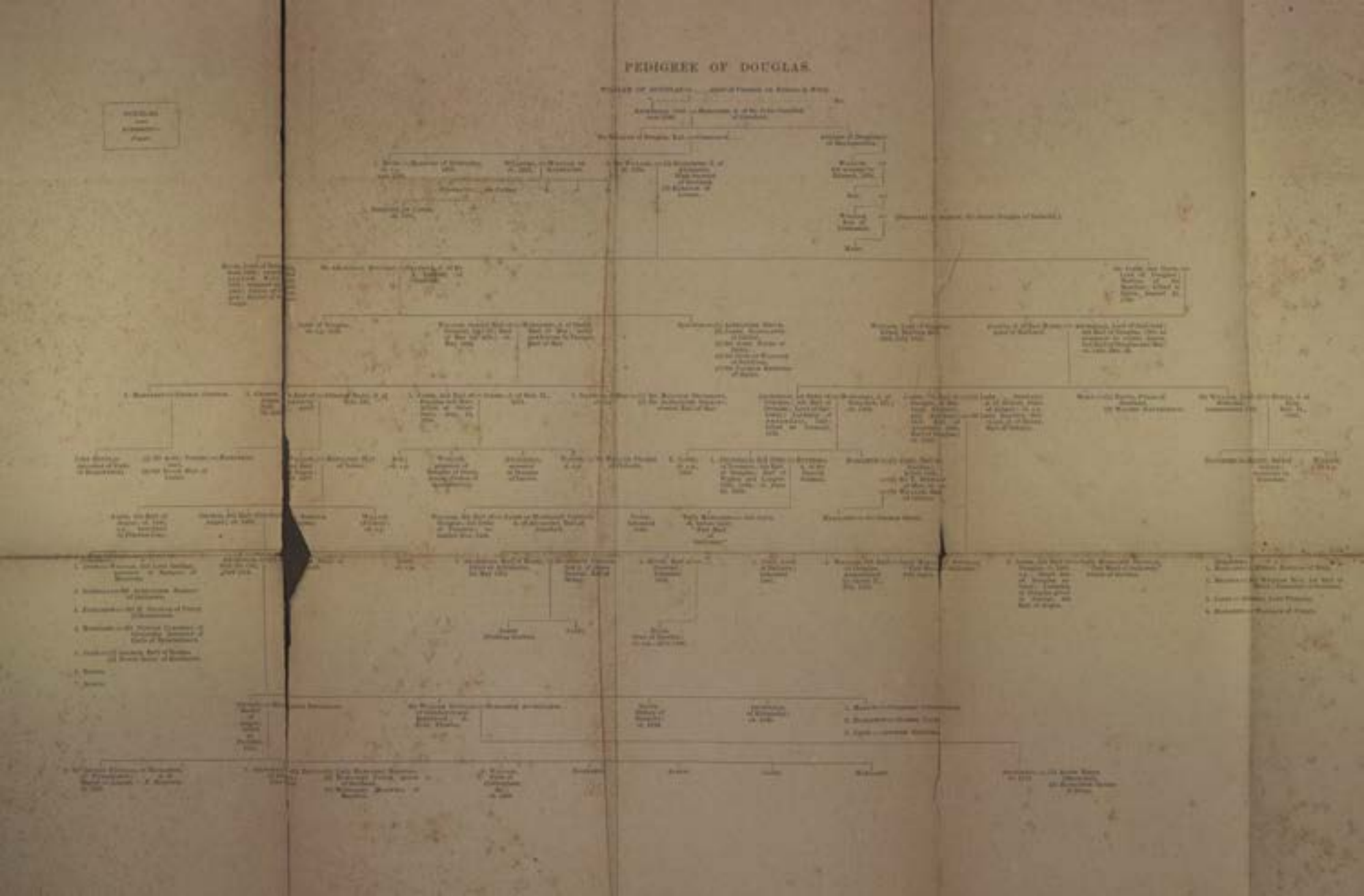

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